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GOVERNMENT AND ADMINISTRATION

Ministerial Changes

A number of ministerial changes were announced on 14 and 15 September.

The new appointments to the Cabinet are as follows:

Secretary of State for Education and Science
Rt Hon Sir Keith Joseph, Bt, MP (former Secretary of State for Industry)

Lord President of the Council and Leader of the House of Commons
Rt Hon Francis Pym, MC, MP (former Chancellor of the Duchy of Lancaster, Paymaster General and Leader of the House of Commons)

Secretary of State for Northern Ireland
Rt Hon James Prior, MP (former Secretary of State for Employment)

Lord Privy Seal
Rt Hon Humphrey Atkins, MP (former Secretary of State for Northern Ireland)

Secretary of State for Industry
Rt Hon Patrick Jenkin, MP (former Secretary of State for Social Services)

Secretary of State for Transport
Rt Hon David Howell, MP (former Secretary of State for Energy)

Secretary of State for Social Services
Rt Hon Norman Fowler, MP (former Secretary of State for Transport)

Chancellor of the Duchy of Lancaster
The Baroness Young (former Minister of State, Department of Education and Science)

Secretary of State for Energy
Rt Hon Nigel Lawson (former Financial Secretary to the Treasury)

Secretary of State for Employment
Norman Tebbit, MP (former Minister of State, Department of Industry)

Other appointments are:

Ministry of Agriculture, Fisheries and Food
Parliamentary Secretary
Mrs Peggy Fenner, MP

Ministry of Defence
Parliamentary Under-Secretary of State for the Armed Forces
Mr Jerry Wiggin, TD, MP (former Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food)

Department of Education and Science
Parliamentary Under-Secretaries of State
Mr William Shelton, MP
Hon William Waldegrave, MP

Department of Employment
Minister of State
Mr Michael Alison, MP (former Minister of State, Northern Ireland Office)

Department of Energy
Parliamentary Under-Secretary of State
Mr David Mellor, MP

Department of the Environment
Parliamentary Under-Secretary of State
Sir George Young, Bt, MP (former Parliamentary Under-Secretary of State, Department of Health and Social Security)
Parliamentary Under-Secretary of State (Sport)
Mr Neil Macfarlane, MP (former Parliamentary Under-Secretary of State, Department of Education and Science)

Foreign and Commonwealth Office
Minister of State
Mr Richard Luce, MP (former Parliamentary Under-Secretary of State, Foreign and Commonwealth Office)
Parliamentary Under-Secretary of State
The Lord Trefgarne (former Parliamentary Under-Secretary of State, Department of Trade)

Department of Health and Social Security
Parliamentary Under-Secretaries of State
The Lord Elton, TD (former Parliamentary Under-Secretary of State, Northern Ireland Office)
Mr Geoffrey Finsberg, MBE, MP (former Parliamentary Under-Secretary of State, Department of the Environment)

Department of Industry
Minister of State
Mr Norman Lamont, MP (former Parliamentary Under-Secretary of State, Department of Energy)
Parliamentary Under-Secretary of State
Mr John Wakeham, MP (former Lord Commissioner of the Treasury)

Northern Ireland Office
Minister of State
The Earl of Gowrie (former Minister of State, Department of Employment)
Parliamentary Under-Secretary of State
Mr Nicholas Scott, MBE, MP

Paymaster General's Office
Paymaster General
Rt Hon Cecil Parkinson, MP

Scottish Office
Parliamentary Under-Secretary of State
Mr Allan Stewart, MP

Department of Trade
Minister of State
Mr Peter Rees, QC, MP (former Minister of State, Treasury)
Parliamentary Under-Secretary of State
Mr Iain Sproat, MP

Treasury
Financial Secretary
Hon Nicholas Ridley, MP (former Minister of State, Foreign and Commonwealth Office)
Minister of State
Mr Jock Bruce-Gardyne, MP

One appointment—a Lord Commissioner of the Treasury—had not been announced at the time of going to press.

Mr Francis Pym will retain responsibility for Government information. His appointment had previously combined the posts of Chancellor of the Duchy of Lancaster and Paymaster General; these will now be held separately.

Lady Young will become Chancellor of the Duchy of Lancaster, Leader of the House of Lords and Minister in day-to-day charge of the Civil Service Department.

Mr Cecil Parkinson, MP, the new Paymaster General, will not be a member of the Cabinet but will attend Cabinet meetings. With 22 members, the size of the Cabinet remains unchanged.

Lady Young, Mr Norman Tebbit, Mr Cecil Parkinson and Mr Michael Alison have been appointed to the Privy Council.

The following Cabinet ministers tendered their resignations; their former posts are given in parentheses:

Rt Hon The Lord Soames, GCMG, GCVO, CH, CBE
(Lord President of the Council)

Rt Hon Sir Ian Gilmour, Bt, MP
(Lord Privy Seal)

Rt Hon Mark Carlisle, QC, MP
(Secretary of State for Education and Science)

Other ministers offering their resignations were:

Mr Russell Fairgrieve, CBE, TD, MP[1]
(Parliamentary Under-Secretary of State, Scottish Office)

Mr Philip Goodhart, MP[1]
(Parliamentary Under-Secretary of State for the Armed Forces, Ministry of Defence)

Mr Michael Marshall, MP
(Parliamentary Under-Secretary of State, Department of Industry)

Mr Hector Monroe, MP[1]
(Parliamentary Under-Secretary of State (Sport), Department of the Environment)

The Cabinet
Following the new appointments, the composition of the Cabinet is as follows:

Prime Minister, First Lord of the Treasury and Minister for the Civil Service
Rt Hon Margaret Thatcher, MP

Secretary of State for the Home Department
Rt Hon William Whitelaw, CH, MC, MP

Lord Chancellor
Rt Hon The Lord Hailsham of Saint Marylebone, CH, FRS

Secretary of State for Foreign and Commonwealth Affairs and Minister of Overseas Development
Rt Hon The Lord Carrington, KCMG, MC

Chancellor of the Exchequer
Rt Hon Sir Geoffrey Howe, QC, MP

Secretary of State for Education and Science
Rt Hon Sir Keith Joseph, Bt, MP

Lord President of the Council and Leader of the House of Commons
Rt Hon Francis Pym, MC, MP

Secretary of State for Northern Ireland
Rt Hon James Prior, MP

Secretary of State for Defence
Rt Hon John Nott, MP

Minister of Agriculture, Fisheries and Food
Rt Hon Peter Walker, MBE, MP

Secretary of State for the Environment
Rt Hon Michael Heseltine, MP

Secretary of State for Scotland
Rt Hon George Younger, TD, MP

Secretary of State for Wales
Rt Hon Nicholas Edwards, MP

Lord Privy Seal
Rt Hon Humphrey Atkins, MP

Secretary of State for Industry
Rt Hon Patrick Jenkin, MP

Secretary of State for Trade
Rt Hon John Biffen, MP

Secretary of State for Transport
Rt Hon David Howell, MP

Secretary of State for Social Services
Rt Hon Norman Fowler, MP

[1]It was announced that Mr Fairgrieve, Mr Goodhart and Mr Monroe are to receive knighthoods.

Chief Secretary to the Treasury
Rt Hon Leon Brittan, QC, MP

Chancellor of the Duchy of Lancaster and Leader of the House of Lords
Rt Hon The Baroness Young

Secretary of State for Energy
Rt Hon Nigel Lawson, MP

Secretary of State for Employment
Rt Hon Norman Tebbit, MP

Recent Legislation

The public Acts of Parliament passed between May and the beginning of August when the summer adjournment started are listed below. Twelve Acts were introduced by private members; these are indicated by asterisks.

Animal Health Act 1981. Consolidates the Diseases of Animals Acts 1935, 1950 and 1975, the Ponies Act 1969 and the Rabies Act 1974 and certain related enactments. Royal Assent: 11.6.81. Ch 22, ISBN 0 10 542281 9, HMSO, £3·90.

Appropriation Act 1981. Prescribes how expenditure is to be appropriated in order to finance specific public services. Royal Assent: 28.7.81. Ch 51, ISBN 0 10 545181 9, HMSO, £4·35.

Armed Forces Act 1981. Continues in force various Acts relating to the administration of the armed forces. Royal Assent: 28.7.81. Ch 55, ISBN 0 10 545581 4, HMSO, £3·40.

Atomic Energy (Miscellaneous Provisions) Act 1981 (see p 74). Royal Assent: 27.7.81. Ch 48, ISBN 0 10 544881 8, HMSO, 70p.

Belize Act 1981 (see p 215). Royal Assent: 28.7.81. Ch 52, ISBN 0 10 545281 5, HMSO, £1·40.

British Telecommunications Act 1981 (see pp 14-16). Royal Assent: 27.7.81. Ch 38, ISBN 0 10 543881 2, HMSO, £6·35.

Contempt of Court Act 1981 (see pp 87-8). Royal Assent: 27.7.81. Ch 49, ISBN 0 10 544981 4, HMSO, £2·30.

**Countryside (Scotland) Act 1981.* Makes provision for management agreements to preserve scenery and for the establishment of regional parks; makes other amendments to the law relating to the countryside in Scotland and the Countryside Commission for Scotland. Royal Assent: 27.7.81. Ch 44, ISBN 0 10 544481 2, HMSO, £1·90.

Criminal Attempts Act 1981 (see pp 31-2). Royal Assent: 27.7.81. Ch 47, ISBN 0 10 544781 1, HMSO, £1·50.

Deep Sea Mining (Temporary Provisions) Act 1981 (see pp 40-1). Royal Assent: 28.7.81. Ch 53, ISBN 0 10 545381 1, HMSO, £1·90.

**Disabled Persons Act 1981.* Makes further provision for the welfare of chronically sick and disabled people. Royal Assent: 27.7.81. Ch 43, ISBN 0 10 544381 6, HMSO, £1·50.

**Disused Burial Grounds (Amendment) Act 1981.* Amends the Disused Burial Grounds Act 1884 to enable building to take place, with appropriate safeguards, in certain disused burial grounds. Royal Assent: 21.5.81. Ch 18, ISBN 0 10 541881 1, HMSO, £1·40.

Employment and Training Act 1981 (see p 73). Royal Assent: 31.7.81. Ch 57, ISBN 0 10 545781 7, HMSO, £2·30.

Energy Conservation Act 1981. Contains provisions enabling the Government to set safety and efficiency standards for new space and water-heating appliances and for gas appliances; enables Britain to implement a European Community directive on heat generators. Royal Assent: 21.5.81. Ch 17, ISBN 0 10 541781 5, HMSO, £2·40.

Finance Act 1981. Gives effect to the Budget proposals. (See pp 94-104, 231.) Royal Assent: 27.7.81. Ch 35, ISBN 0 10 543581 3, HMSO, £8·35.

Fisheries Act 1981 (see pp 50-2). Royal Assent: 2.7.81. Ch 29, ISBN 0 10 542981 3, HMSO, £3.

**Food and Drugs (Amendment) Act 1981.* Exempts certain premises from registration under section 16 of the Food and Drugs Act 1955. Royal Assent: 2.7.81. Ch 26, ISBN 0 10 542681 4, HMSO, 30p.

Forestry Act 1981. Amends the Forestry Act 1967 to give the Forestry Commission greater commercial freedom to sell some of its land and plantations. Royal Assent: 27.7.81. Ch 39, ISBN 0 10 543981 9, HMSO, 70p.

Forgery and Counterfeiting Act 1981. Makes provision for England, Wales and Northern Ireland concerning forgery and related offences, and makes fresh provision for Britain concerning the counterfeiting of notes and coins and related offences. Royal Assent: 27.7.81. Ch 45, ISBN 0 10 544581 9, HMSO, £2·30.

Friendly Societies Act 1981. Repeals section 2 (i) of the Friendly Societies Act 1974 specifying that the Chief Registrar of Friendly Societies must be a barrister of at least 12 years' standing or a person who has held the office of Assistant Registrar for at least five years. Royal Assent: 27.7.81. Ch 50, ISBN 0 10 545081 2, HMSO, 30p.

**Horserace Betting Levy Act 1981.* Provides for the making of payments under section 27 of the Betting Gaming and Lotteries Act 1963 by bookmakers to the Horserace Betting Levy Board. Royal Assent: 2.7.81. Ch 30, ISBN 0 10 543081 1, HMSO, £1·10.

**Indecent Displays (Control) Act 1981* (see pp 80-1). Royal Assent: 27.7.81. Ch 42, ISBN 0 10 544281 X, HMSO, £1·15.

**Industrial Diseases (Notification) Act 1981.* Makes further provision for regulations concerning the notification and certification of death and for the recording of information relating to industrial diseases. Royal Assent: 2.7.81. Ch 25, ISBN 0 10 542581 8, HMSO, 30p.

Insurance Companies Act 1981. Amends the framework established by the Insurance Companies Act 1974 for government authorisation and supervision of insurance companies. Royal Assent: 2.7.81. Ch 31, ISBN 0 10 543181 8, HMSO, £2·70.

Iron and Steel Act 1981 (see pp 75-6). Royal Assent: 27.7.81. Ch 46, ISBN 0 10 544681 5, HMSO, £1·40.

Judicial Pensions Act 1981. Consolidates certain enactments relating to judicial pensions and other benefits, with amendments giving effect to recommendations of the Law Commission and the Scottish Law Commission. Royal Assent: 21.5.81. Ch 20, ISBN 0 10 542081 6, HMSO, £3.

**Licensing (Alcohol Education and Research) Act 1981.* Abolishes the functions of compensation authorities under the Licensing Act 1964 and allows the assets remaining in the compensation funds to be used for education about, and research into, the misuse of alcohol. Royal Assent: 2.7.81. Ch 28, ISBN 0 10 542881 7, HMSO, £1·70.

**Licensing (Amendment) Act 1981.* Amends the Licensing Act 1964 in relation to the revocation of special hours certificates. Royal Assent: 27.7.81. Ch 40, ISBN 0 10 544081 7, HMSO, 30p.

Local Government (Miscellaneous Provisions) (Scotland) Act 1981. Makes further provision for local government in Scotland; amends the Housing (Scotland) Acts 1966 to 1980; and postpones the effect of certain provisions of the Education (Scotland) Act 1980. Royal Assent: 11.6.81. Ch 23, ISBN 0 10 542381 5, HMSO, £3.

**Local Government and Planning (Amendment) Act 1981.* Amends the existing statutory provisions for the enforcement of planning control and listed building control in England and Wales. Royal Assent: 27.7.81. Ch 41, ISBN 0 10 544181 3, HMSO, £2·10.

Matrimonial Homes and Property Act 1981. Amends the Matrimonial Homes Act 1967 and makes further provision for the rights of husbands and wives to own or occupy any matrimonial home or former matrimonial home, and for orders for the sale of property under the Matrimonial Causes Act 1973. Royal Assent: 2.7.81. Ch 24, ISBN 0 10 542481 1, HMSO, £1·70.

Ports (Financial Assistance) Act 1981. Provides financial assistance to the Port of London Authority and the Mersey Docks and Harbour Company, and increases the limit on sums borrowed by the National Dock Labour Board. Royal Assent: 11.6.81. Ch 21, ISBN 0 10 542181 2, HMSO, 30p.

Representation of the People Act 1981 (see p 194). Royal Assent: 2.7.81. Ch 34, ISBN 0 10 543481 7, HMSO, 70p.

Social Security Act 1981. Amends the law relating to social security, the calculation of maternity pay and reports relating to war pensions; and provides for the modification of the Pensions Appeal Tribunals Act 1943. Royal Assent: 2.7.81. Ch 33, ISBN 0 10 543381 0, HMSO, £1·40.

Statute Law (Repeals) Act 1981. Promotes the reform of the statute law by repealing certain obsolete enactments as recomended by the Law Commission and the Scottish Law Commission. Royal Assent: 21.5.81. Ch 19, ISBN 0 10 541981 8, HMSO, £2·40.

Supreme Court Act 1981. Consolidates the Supreme Court of Judicature (Consolidation) Act 1925 and other enactments relating to the Supreme Court in England and Wales; repeals certain related and obsolete enactments; amends Part VIII of the Mental Health Act 1959, the Courts-Martial (Appeals) Act 1968, the Arbitration Act 1979, and the law relating to county courts. Royal Assent: 28.7.81. Ch 54, ISBN 0 10 545481 8, HMSO, £6·35.

Town and Country Planning (Minerals) Act 1981. Designed to improve planning control over mineral working and in particular to assist with the restoration of land to an acceptable condition after mineral working has finished. Royal Assent: 27.7.81. Ch 36, ISBN 0 10 543681 X, HMSO, £3·40.

Transport Act 1981 (see pp 52-3). Among other things provides for the compulsory wearing of seat belts. Royal Assent: 31.7.81. Ch 56, ISBN 0 10 545681 0, HMSO, £5·45.

**Transport Act 1962 (Amendment) Act 1981.* Makes provision for experimental railway passenger services. Royal Assent: 2.7.81. Ch 32, ISBN 0 10 543281 4, HMSO, 30p.

**Zoo Licensing Act 1981.* Provides for the regulation by licence of the conduct of zoos. Royal Assent: 27.7.81. Ch 37, ISBN 0 10 543781 6, HMSO, £2·10.

Shorter Note

BY-ELECTION

A parliamentary by-election in the Fermanagh and South Tyrone constituency of Northern Ireland was held on 20 August. The seat was won by Mr Owen Carron, an anti-H-block candidate. The seat became vacant when its holder, Mr Robert Sands, a member of the Provisional IRA serving long sentences in the so-called H-blocks of the Maze Prison, Belfast, for firearms and ammunition offences died in May after a hunger strike (see pp 88, 131 and footnote, p 194). Mr Carron, who had acted as Mr Sands's election agent in April, won by a majority of 2,230 votes.

The results were as follows:

O. Carron (Anti-H-Block Proxy Prisoner)	31,278
K. Maginnis (Official Unionist)	29,048

Four other candidates, who between them polled 3,401 votes, all lost their deposits; 88·2 per cent of the electorate voted.

Conference on Least Developed Countries

The importance Britain and its partners in the European Community attach to assisting the world's poorest countries, and their readiness to continue doing so, were reaffirmed at the United Nations Conference on the Least Developed Countries which opened in Paris on 1 September.

Britain's delegation to the Conference was led by the Minister for Overseas Development, Mr Neil Marten, who also addressed the Conference on behalf of the Presidency of the European Community's Council of Ministers.

In 1979 the fifth United Nations Conference on Trade and Development (UNCTAD), meeting in Manila (see pp 200–1, 1979), called for increased efforts by the international community to assist the least developed countries, and decided to launch a comprehensive programme of action to serve as the focal point for such efforts. This was to consist of two parts: an Immediate Action Programme of expanded assistance to meet the immediate needs of these countries for the years up to 1981, and a Substantial New Programme of Action for the 1980s. The objective of the latter was to be that of 'transforming their economies towards self-sustained development and enabling them to provide at least internationally accepted minimum standards of nutrition, health, transport and communications, housing and education as well as job opportunities to all their citizens, and particularly to the rural and urban poor'. UNCTAD's proposal was subsequently endorsed by the UN General Assembly which also decided that a special conference should meet in late 1981 to finalise and adopt the action programme and to consider ways of implementing it.

The main questions considered by the Conference for inclusion in the action programme were: ways and means for overcoming the main structural constraints on growth and development in the least developed countries; the provision of assistance to enable early improvements to be made in the social conditions of their poorest communities; the identification of investment opportunities with the highest potential for effecting the economic transformation required by the programme; and the provision of sufficient funds to mitigate possible disruptions to the programme caused by natural disasters. The Conference also considered the level of increased aid required to fulfil the programme's objectives and the adoption of more flexible terms and conditions with respect to its provision.

The Conference, which ended on 14 September, adopted by consensus an action programme covering all the above points and which represents a meeting ground between the aspirations of the developing countries and the abilities of the main donor countries to provide aid.[1]

MINISTER'S SPEECH

Community Assistance

Speaking first for the European Community Presidency, Mr Marten told the Conference on 2 September that the Community and its member states had long shown their concern for the Third World in general and for the least developed countries in particular by a variety of measures to support their development. Together they constituted the largest source of aid for developing countries and also their largest trading partner. They already provided more than $12,000 million a year in aid, this being almost half of the total provided by member countries of the Organisation for Economic Co-operation and Development and more than six times as great as that provided by the Soviet Union and its allies.

In this context, Mr Marten continued, a significant role was being played by the Lomé Convention (see p 300, 1979), under which nearly $5,000 million was being provided to 61 African, Caribbean and Pacific (ACP) countries, of which 22 were least developed countries and received 56 per cent of the funds allocated for country programmes. This aid was generally provided on grant terms and was very flexible, the Community having already met most of the proposals on aid terms and conditions being made by the least developed countries. The Community was also a major donor of food aid, recognising that, while its long-term objective had to be to enable poor countries to meet their own food needs, in the short and medium term food aid was needed and had to be directed to reinforcing the production efforts of the recipient countries. Other assistance included emergency aid, project aid for countries not in association with the Community, co-

[1]Most donor countries, including Britain, agreed to aim to provide the least developed countries with aid equal to 0·15 per cent of their gross national product annually.

financing with non-governmental organisations and trade promotion (see also pp 202-3). Much of this assistance, which also was normally provided on grant terms and sometimes covered local costs and certain recurrent expenses, was directed towards the poorest countries, with the emphasis on rural development, particularly food production.

Turning to the question of trade, Mr Marten pointed out that the Community had one of the most generous generalised preference schemes, providing the least developed countries with unlimited duty-free access for all industrial and nearly all the agricultural products it covered. Nevertheless, ways to improve it were still being sought, and Mr Marten called on other importing countries to do likewise with regard to their own trading arrangements. For their part, the most prosperous developing countries could help by removing trade barriers as their economies strengthened. The Community was also prepared to give serious consideration to recommendations for stabilising the revenue received by all the least developed countries from the export of primary commodities. Those covered by the Lomé Convention already benefited from the generous provisions of the Convention's Stabex scheme.

Future Needs

The Community and its member states, Mr Marten continued, would play a positive and constructive part in discussing all aspects of the Substantial New Programme for Action. With regard to structural change within the less developed countries, he suggested that policies for food production and population were of particular importance, as also were those for the mobilisation of domestic human and financial resources, basic administrative and physical infrastructure, energy, health and housing and measures to stimulate trade and investment. As for their need for additional resources, the Community would continue to concentrate its aid on those countries most in need and, wherever possible, further strengthen this emphasis. It also welcomed the significant role international financial institutions were playing in this respect, particularly the International Development Association, whose sixth replenishment Mr Marten hoped would become operational without further delay (see p 166), and the International Monetary Fund, which had recently decided to make more resources available in support of sound adjustment programmes.

Reaffirming the commitment of all Community members to the target of 0·7 per cent of gross national product for annual flows of official development assistance, Mr Marten said that the task of increasing aid was the responsibility of the international community as a whole, with all contributing according to their means. The greatest effort had to be made by those whose aid to the least developed was relatively low, and he urged these states to do everything possible to improve their performance. He also urged others, already giving generously, to spread their aid over a wider range of countries so as to include the least developed, and called on those developing countries in a position to do so to help their poorer neighbours through schemes of mutual co-operation, trade liberalisation and the promotion of food security measures.

Referring to the importance of follow-up measures for ensuring the success of the Conference, Mr Marten suggested that the review of progress at country level should be carried out through existing mechanisms such as the World Bank consultative groups or regional arrangements like the Club du Sahel.[1] At the global level, the review should be conducted by UNCTAD, particularly at its sixth and seventh conferences, which should then report to the United Nations General Assembly. In this process, he promised, the Community would play a constructive role.

Britain's Position

Turning to Britain's role, Mr Marten emphasised that the British Government's first priority was to return to a basis for sound economic growth, and that only by achieving this would it be able to increase its aid programme and, more important, provide a growing market for exports from developing countries. Despite reductions in public expenditure, the aid programme remained substantial, only five countries giving more than Britain in 1980. In the financial year 1981-82, the programme would exceed £1,000 million. In addition, Britain concentrated its aid to a greater extent than many donors on the poorest countries. In 1980, nearly 60 per cent of bilateral aid went to countries with a per capita income below $320 in 1978 while 30 per cent went to the least developed countries. (The provisional average for all Western donors was 20 per cent). Aid to these countries [except for investments made by the Commonwealth Development Corporation – see p 167] was provided in grant form only, and with 17 of them,[2] including ten least developed countries, Britain had negotiated agreements removing from them the burden of past aid loans, the total sum involved being some £900 million. At the same time, Mr Marten commented, least developed countries, like other developing countries, should do everything possible to provide a favourable climate for private investment since this could also promote development.

New Initiatives

In four areas of great importance to the least developed countries, Mr Marten continued, Britain was taking new initiatives. Two of these, in agricultural research and population policy, were directed towards the important tasks of aiding increased agricultural production, improved health

[1]The Sahel is an ecological zone of sparse rainfall bordering the Sahara desert in West Africa. The Club du Sahel is an informal association of aid donors which seeks to reinforce the efforts of countries in the region and international bodies in mobilising resources for the development of the Sahel. Participants include the Sahelian countries, members of the Organisation for Economic Co-operation and Development and of the Organisation of Petroleum Exporting Countries. Between 1974 and 1979 some $6·8 million in official development assistance was committed by the international community to the eight Sahelian countries, two-thirds of it in grant form.

[2]These countries are Afghanistan, Bangladesh, Botswana, Egypt, The Gambia, India, Indonesia, Kenya, Lesotho, Malawi, Nepal, Pakistan, Sierra Leone, Sri Lanka, Sudan, Tanzania and Western Samoa.

and nutrition levels, and the acceleration of economic and social development. Support for agricultural research, at present directed to solving specific problems, would be extended to enable a number of African countries to strengthen their agricultural research teams, and some £1·5 million would be made available for this in the next two years. Britain's contribution to multilateral agencies active in the population field would total some £5 million in 1981-82, an increase of £500,000 over previous plans, and would rise to £6 million in 1982-83.

The third initiative was that already announced at the United Nations Conference on New and Renewable Sources of Energy in August (see p 267), namely the allocation of £2 million for technical co-operation activities in energy resource planning to assist governments to adjust to the world energy market. Finally, Mr Marten said, Britain would expand its aid for water supply, sanitation and preventative health programmes in line with the United Nations Water Decade (see pp 360-1, 1980). An additional £4 million would be made available for this in the years to 1984.

Emphasising the importance of technical co-operation for enabling the least developed countries to strengthen their capacity to use aid productively, Mr Marten pointed out that at the end of 1980 there were some 7,000 British financed experts serving in developing countries, nearly 1,800 of them in 26 of the poorest countries and 1,130 in 17 of the least developed countries. These countries also benefited from the work of the Overseas Development Administration's specialist units, such as the Tropical Products Institute and the Centre for Overseas Pest Research. Their work was of particular advantage to small farming communities, and in coming years they would be giving special attention to the needs of the least developed countries.

Finally, Mr Marten referred to the very significant contribution made outside the official aid programme by voluntary agencies. These, funded by voluntary contributions from individuals which amounted to some £40 million in 1980, worked almost exclusively in the poorer countries.

BACKGROUND INFORMATION

The Least Developed Countries

The concept of the least developed countries emerged in the late 1960s, and in 1971 the United Nations approved a list of them based principally on the following criteria – a per capita gross domestic product of $100 (now $250 averaged over 1976-78) or less; a manufacturing sector accounting for 10 per cent or less of gross domestic product; and a literacy rate of 20 per cent or less for the population aged 15 years or more. These factors, it was considered, reflected the dimensions of poverty in a country, the extent of the structural changes required in its economy and the potential for enlarging the resources of trade and skilled manpower. Twenty-five countries were originally classified as least developed, but the number has since risen to 31. Twenty-one of them are in Africa: Benin, Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Ethiopia, The Gambia, Guinea-Bissau, Guinea, Lesotho, Malawi, Mali, Niger, Rwanda, Somalia, Sudan, Tanzania, Uganda and Upper Volta; and eight in Asia: Afghanistan, Bangladesh, Bhutan, Laos, Maldives, Nepal, Yemen Arab Republic and the People's Democratic Republic of Yemen. The other two are Haiti and Western Samoa. In 1977 the population of these countries was estimated at 257 million, about 12·5 per cent of that in all developing countries.

The economic situation of most of these countries is bleak. Surveying most of them in the *World Development Report 1981*, the World Bank described them as follows: 'Their productive sectors are weak and inflexible. They lack the skills, and infrastructure and the commercial and financial institutions to adjust rapidly to external shocks . . . . They are poor countries because they respond less readily to economic opportunities; they do not respond because they are poor. There are vicious circles of poverty throughout the developing world, but they are drawn tightest of all around the least developed countries.'

Figures compiled by UNCTAD show that, using constant 1976 prices, the gross domestic product of these countries as a group has grown from $123 per capita in 1960 to only $140 in 1978 and, if the long-term trend continued would reach only $152 by 1990. Moreover, their relative position is deteriorating, not only *vis-à-vis* the developed countries but also in relation to other developing countries. In 1960, at the beginning of the First United Nations Development Decade, their average per capita income was one-third of the average for all developing countries; by 1978 it had fallen to one-fourth of the general average and appeared set to decline further.

Most of these countries are heavily dependent on agriculture, which provides employment for more than 80 per cent of their population. This largely takes the form of subsistence farming and is characterised by low output and the absence of modern farming techniques. Agricultural output per head of population has in fact declined on average from an estimated $69 in 1960 to $65 in 1977, while output per worker is now less than half that in all developing countries. At the same time, manufacturing is at an early stage of development, output amounting to only $13 per capita in 1977 compared with $96 for all developing countries; credit and banking systems are underdeveloped; and physical and institutional infrastructure is generally weak, particularly in such important fields as public administration, education and training, transport and communications, health and housing. Exports are generally confined to a few primary commodities (coffee, cotton, oils and oilseeds), the prices of which fluctuate widely. Their purchasing power has declined in the last decade, from $22 per capita in the late 1960s to $18 per capita in 1979, and this more than offset the increased flows of official aid they received in this period. Despite a heavy reliance on imports for essential goods (oil, fertilisers, foodstuffs), the value of imports per head amounted to only $35 in 1979, one-third the level for other developing countries, reflecting the limited capacity of these

countries for importing the resources needed to stimulate and support growth.

British Aid

British official development assistance in 1980 totalled £866 million gross with another £281 million being provided in other official flows which were insufficiently concessional to qualify as official development assistance.[1] Net official development assistance amounted to £766 million, 0·34 per cent of gross national product. This was lower than in 1979, when disbursements totalled £992 million and represented 0·52 per cent of gross national product, for two reasons. First, the sixth replenishment of the International Development Association was not fully ratified, as had been expected, during 1980 so Britain did not deposit a promissory note in that year. Secondly, the drawings of bilateral aid against available resources by some countries were relatively sluggish. Provisional figures for the financial year 1980-81, however, show that disbursements picked up in early 1981, and expenditure for 1980-81 is estimated at £950 million.

Some 60 per cent of Britain's net bilateral official development assistance went to the poorest countries, these being defined by Britain as those with a per capita income of $320 or less in 1978 plus the four least developed countries with an income level above this point. They include, along with all the least developed countries, Angola, Burma, Cambodia, India, Kenya, Madagascar, Mauritania, Mozambique, Pakistan, Sierra Leone, Sri Lanka, Togo, Vietnam and Zaïre. These countries also benefit from Britain's contributions to multilateral aid donors, some of which, like the International Development Association and the European Community, give special consideration to the needs of the low income countries. The range and nature of British aid to these countries is illustrated in the following examples.[2] (Further examples of aid given to energy projects are mentioned on pp 271-3.)

Bangladesh

Bangladesh received about £34 million in aid from Britain in 1980-81. Current projects include railway and tea industry rehabilitation, power distribution in Dacca, textile mills, a gas well, airport refuelling capacity, grain storage rehabilitation, fish culture, power station water demineralisation plant and a sugar mill. Also included is a substantial amount of commodity aid, aimed essentially at the provision of spare parts and replacement capital items in important sectors of the economy. Technical co-operation activities complement many capital aid projects and also include assistance with rice, livestock and telecommunications development. There is a regular programme of visits by British personnel in the medical sector and also to answer short-term needs as they arise. A substantial number of awards (currently about 200) are available each year to Bangladeshi students for study in Britain.

Burma

British assistance has concentrated on the area of fisheries development. A fisheries research vessel is already in operation and two refrigerated carrier vessels have been built in Britain and are about to come into service. Other capital grants have assisted the procurement of British goods and equipment, including gas turbines, marine diesel engines, a carpet-backing mill, bridges, and the necessary equipment and machinery to rehabilitate a jute mill. Aid to Burma was approximately £6 million in 1980-81.

The Gambia

The Gambia receives substantial aid from Britain. The latest grant of £10 million was signed in 1979, and projects identified for funding include a bridge, cargo handling equipment for Banjul port, improvements to the country's two main hospitals, and further support in the fields of health and agricultural development. Technical co-operation in 1980-81 amounted to £1·025 million and consisted chiefly of about 40 British staff working mainly in agriculture, medicine, education and engineering, and 57 Gambians studying and training in Britain.

India

India is by far the biggest single recipient of British aid and in 1980-81 Britain was the largest net aid donor to India, providing a record £140 million. All British aid is in grant terms, with an increasing provision to meet local costs. Expenditure in 1980-81 included £32 million for the power sector, £26 million for fertiliser plants, £6 million for the coal sector and £30 million on other industrial projects. Assistance is also being provided for a family welfare project in the state of Orissa, for an agricultural credit bank, and for a foot and mouth disease vaccine plant. Expenditure on projects designed to help the poorest reached £13 million. Technical co-operation amounted to £7 million.

Kenya

Britain is Kenya's largest bilateral aid donor, with a £27 million programme in 1980-81. A considerable part of this is devoted to agriculture and rural development, particularly in the districts of Embu, Meru and Isiolo. Major projects include a 50-mile road, construction of an earthwork dam, irrigation and settlement programmes on the lower Tana river, development of the sugar industry and expansion of Kenya's premier polytechnic. In addition, the Commonwealth Development Corporation has large investments in power, tea development, cotton, housing and other projects. Programme aid has been provided to help alleviate Kenya's balance of payments problems; £6 million of British goods were supplied in 1980-81, including cranes for Mombasa port, Bedford trucks for the police, spare parts for railways and Guernsey heifers to improve Kenyan livestock. Major technical co-operation projects include consultancies for capital projects, a study for a site and service

[1]Official development assistance is defined as official flows having a grant (concessional) element of 25 per cent or more.

[2]The British Government administers the aid programme in financial years. Where financial year statistics are referred to in the examples, they relate to net public expenditure and include certain flows which do not qualify as official development assistance.

scheme for the planned expansion of six towns, and mineral exploration and mapping in northern Kenya.

Mozambique

Since early 1976, aid totalling £22·5 million has been provided for Mozambique's general economic development. Much of this has been for the provision of spares and replacement items in the transport and communications sectors. The balance has been provided for a road-building project and the construction of power stations at Quelimane and Pemba. Since 1977 Britain has also provided some 54,000 tonnes of food aid to Mozambique. A study is being undertaken for the transportation of coal to the coast and £1·03 million is being made available for a geological study.

Nepal

A considerable part of British aid is devoted to agricultural and rural development for the hill areas. Aid in 1980-81 was about £9·5 million and projects supported included road and bridge construction, grain warehouses, electricity generators, development of the tea industry, an earth communications satellite and telex exchange, and a multi-disciplinary rural development project. Technical co-operation projects include agricultural research and extension, medical training, assistance for education and technical education, forestry, agricultural economics, and water and sewerage.

Pakistan

A large part of British aid, which amounted to some £25 million in 1980-81, goes to the transport (ports and railways) and agricultural sectors. Major projects include equipment for Pakistan Railways, the development of Port Qasim, and the provision of agricultural and earth-moving machinery for land levelling in Sind Province. Three cargo ships for Pakistan are being built in Britain with support from a special grant. Technical co-operation includes assistance to the Allama Iqbal Open University in Islamabad and a British training programme offering up to 125 new awards for Pakistanis to train in Britain in 1981-82. Pakistan benefits from a debt relief agreement worth about £77 million over 20 years. In addition, Britain is contributing both directly and through the European Community to the programme of relief for Afghan refugees in Pakistan.

Somalia

British aid is about £1·5 million a year and covers a wide range of projects. Programme aid worth £2·8 million has provided equipment for fisheries development, and housing for the Juba Sugar Project. In the field of technical co-operation, Britain has financed feasibility studies into electric power for Hargeisa, Berbera and Burao; tsetse fly and trypanosomiasis control (for which it will provide six experts, Land-Rovers and training); and the possibilities for a cement plant in the Juba/Shebelli area. Fisheries aid includes a team of four mechanics, and assistance will continue with a fisheries adviser and further training facilities. Britain has also contributed cash and food aid for refugees.

Sudan

British aid is concentrated primarily on essential infrastructure and natural resources development. Most has been allocated to the northern part of the country, where Britain is providing a grant of up to £70 million to finance plant and equipment for two power stations in the Khartoum area. Other projects include road construction, port modernisation and fisheries development. An appreciable programme also exists in the south and covers items such as agricultural development, forestry and road maintenance. British aid amounted to about £30 million in 1980-81.

Yemen Arab Republic

Technical co-operation assistance only is provided and is concentrated on projects in the renewable natural resources sector, English language teaching and surveys and mapping. These include a team providing a veterinary field service, an investigation laboratory and a school for veterinary assistants; an agricultural engineering team which provides professional advice, undertakes machinery evaluation trials and runs a training centre; an agricultural and forestry research team; and experts in water control. Other experts are also provided in the industrial, banking and electricity sectors. Yemeni students are training in Britain and in the Yemen.

Emergency Relief

Many of the poorest and least developed countries are among those which suffer most from natural disasters like floods, famine, drought and earthquakes. Emergency and disaster relief provided by Britain in 1980 amounted to some £2·5 million, and included £900,000 for immediate relief channelled through the Disaster Unit, a unit of the Overseas Development Administration which co-ordinates British relief aid. This can take many forms including food, cash, clothes, tents and blankets, medical supplies, the charter of planes to air-drop food, lorries and Land-Rovers. Countries which have received assistance in recent years include India, Nepal, Bangladesh, Somalia and the People's Democratic Republic of Yemen (floods); Uganda and Nepal (famine); Uganda and Sudan (cholera epidemics); Mozambique (drought) and Nepal (earthquake). Similar assistance has been provided to Cambodia, Uganda and Yemen Arab Republic to mitigate the effects of civil conflicts and to Sudan and Pakistan to alleviate the conditions of refugees from neighbouring countries.

A major part of Britain's assistance for refugees is channelled through the United Nations High Commissioner for Refugees, this amounting to some £8 million in 1980 of which £5 million was provided for the regular budget and £3 million in response to special appeals. Another £4·5 million was allocated to the United Nations Relief and Works Agency and some £3·1 million in response to special appeals by voluntary agencies to help refugees in Africa and Indo-China. In addition,

European Community aid for refugees amounted to over £45 million, of which about one-fifth was contributed by Britain.

Southern Africa

Britain has condemned the recent armed incursion into Angola by South African forces and called for their withdrawal. It has also, reaffirmed, together with its partners in the European Community, its support for peaceful moves to secure an internationally accepted independence for Namibia.

ANGOLA

Two South African armoured columns, supported by air strikes, advanced into Angola from Namibia on 25 August. These forces, South Africa said, were engaged in 'hot pursuit' against 'terrorists' belonging to the South West Africa People's Organisation (SWAPO), a body which the United Nations General Assembly recognises as 'the sole and authentic representative of the Namibian people', though clashes with Angolan forces also occurred. After claiming to have completed the operation successfully and inflicted serious personnel and material damage on SWAPO forces, South Africa stated on 28 August that its forces were withdrawing, though this, it later said, made slow progress because of the need to clear minefields, and was not completed until 4 September. Angola said on 3 September, however, that South African forces were advancing into new areas, and on 9 September said that there were still some 15,000 South African troops in the country. It has also alleged that South Africa was trying to establish a buffer zone in southern Angola to be occupied by Angolan rebel forces.

On 1 September the South African Minister of Defence said that some Soviet officers had been involved in the fighting, one of whom had been captured, and that this and other evidence proved that SWAPO was directly controlled and given ideological and material support by the Soviet Union. Commenting on this on the following day, a British Foreign and Commonwealth Office spokesman said that if the claim were verified, it would add urgency to the need for an internationally recognised settlement on Namibia, the dispute over which was a major cause of violence in the region. On the same day, a spokesman for the United States State Department said that the Soviet presence in Angola – and the provision of arms and supplies to SWAPO – were not helpful to efforts to resolve the problem of Namibian independence. There were, he continued, some 1,000 Soviet and 400 East European personnel in Angola, though not all of them were military advisers and technicians. In addition, about 15,000 to 19,000 Cuban troops were in the country. The spokesman had no information regarding the claim that Soviet military advisers were serving with SWAPO, a claim which both Angola and SWAPO have denied.

British Statement

After discussions with the South African Ambassador, the Foreign and Commonwealth Office issued a statement on 26 August which, referring to 'a substantial South African incursion into Angola', said that Britain wholly deplored the South African action, 'the consequences of which could be highly dangerous for the stability of southern Africa'. The British Government hoped, therefore, that the current action would be terminated and the South African troops withdrawn immediately. The statement also pointed out that the Lord Privy Seal, Sir Ian Gilmour,[1] had told the South African Ambassador on 7 August of Britain's concern regarding the escalation of military activities in the area.

Security Council Debate

Following a request from the Angolan Government, the United Nations Security Council met to consider the issue. Addressing the Council on 28 August, Britain's Deputy Permanent Representative to the United Nations, Mr W.E.H. Whyte, said that Britain had repeatedly condemned violence in the region from whichever quarter it had come. Emphasising the Government's continuing commitment to achieving independence for Namibia on an internationally acceptable basis as set out in resolution 435 (see pp 142-3, and pp 350-2, 1978), Mr Whyte said that South Africa's action would not put an end to the conflict in the area. 'It will not promote a just and lasting settlement permitting the people of Namibia to determine their own future through free and fair elections. On the contrary it has already led to a further escalation of the conflict, with potentially disastrous consequences in danger of extending throughout southern Africa.' Britain's view was that the Council should 'strive to agree urgently on an appeal, in simple and direct terms, to the South African Government to terminate their military action in Angola and to withdraw their troops immediately'.

On 31 August the Council voted on a draft resolution strongly condemning the 'racist regime of South Africa' for its 'premeditated, unprovoked and persistent armed invasion' against Angola, and for its 'utilisation of the illegally occupied territory of Namibia as a springboard for armed invasions and destabilisation of the People's Republic of Angola'. Such armed invasion was a 'flagrant violation of the sovereignty and territorial integrity of Angola and constituted a danger to international peace and security'. The resolution also demanded the immediate and unconditional withdrawal of South African troops and called upon member states to implement fully the arms embargo imposed against South Africa. Although supported by 13 countries, the resolution was not adopted because of United States opposition. Britain abstained.

Explaining Britain's decision to abstain, Britain's Permanent Representative to the United Nations, Sir Anthony Parsons, told the Council on 31 August that the British Government supported

[1]The announcement of Sir Ian Gilmour's resignation, as one of a number of ministerial changes, was made on 14 September (see p 251).

much of the draft resolution, particularly the demand for immediate and unconditional withdrawal of all South African troops from Angola. Nevertheless, despite serious efforts made by the sponsors to meet objections to the original text, the draft still contained elements which Britain found difficult to support. Sir Anthony said that 'offensive characterisations and highly coloured rhetoric' directed against member states did not contribute to the peaceful solution of problems: 'If you wish to convince someone by argument, you do not abuse him. Nor, may I say on the other side, do you launch military attacks against him. Oral abuse on one side and military action on the other, are the vocabulary and equipment of despair.' If the resolution were adopted, it was Britain's view that paragraph 3 (which referred to South Africa's action being a danger to international peace and security) did not constitute a determination under article 39 of the United Nations Charter.[1] For Namibia, the only hope of progress towards a peaceful solution – internationally accepted independence – lay in the continued efforts of the five Western powers to bring about the implementation of resolution 435 of the Security Council.

The United States representative, Mr Charles Lichenstein, said that his country deplored the recent South African actions in Angola, just as it deplored violence in all parts of the world. Although the South African refusal to grant independence to Namibia was no doubt a source of tension in the area, another lay in the presence of foreign combat forces in Angola, particularly the large Cuban force, as well as the provision of arms by the Soviet Union to SWAPO and the presence of Soviet military advisers. The United States opposed the draft resolution because it placed the blame solely on South Africa.

Speaking after the vote, the Angolan representative, Mr Elisio de Figueiredo, claimed that the United States veto was against the principles set out in the United Nations Charter, against international law and against the human rights of the people of southern Africa. In the absence of any action by the Security Council, Angola might find it necessary to invoke article 51 of the Charter (which recognises the right of United Nations members to individual or collective self-defence).

NAMIBIA

At the end of a special emergency session on Namibia, which met in New York from 4 to 14 September, the United Nations General Assembly 'strongly urged' all states to impose comprehensive mandatory sanctions on South Africa and to end all dealings with it, collectively and individually, 'in order totally to isolate it politically, economically, militarily and culturally'. At the same time it called upon all members to provide increased assistance to SWAPO, including military aid, and demanded that the implementation of resolution 435 should commence immediately and not later than December 1981.

The resolution was passed by 117 votes to nil with 25 abstentions. The last included most Western countries, among them the five Western powers – Britain, Canada, the Federal Republic of Germany, France and the United States – who had originally drawn up the settlement plan later adopted by the United Nations Security Council (see pp 350-2, 1978). Their abstention, the Assembly was told, was purely on procedural grounds, since they did not wish to complicate their efforts to achieve a peaceful internationally recognised settlement by taking a position of substance on the resolution. They also pointed out that the resolution imposed no legal obligations on member states since the General Assembly's authority was recommendatory in character. Earlier in the session, the Assembly had been informed that the five powers' objective was the implementation of resolution 435 in 1982 and that they expected to submit proposals in the near future to facilitate this.

European Community Views

Speaking on behalf of the ten members of the European Community on 8 September, Sir Anthony Parsons said that Namibia was a particular responsibility and concern of the United Nations. Indeed for a great number of years it had been one of the most serious and intractable problems that the organisation had faced. The international community had consistently reiterated the view that the illegal occupation of Namibia by South Africa must be brought to an end in accordance with Security Council resolutions 385 and 435. It was a matter of regret that this aim had yet to be achieved. Community members adhered firmly to their conviction that the people of Namibia must be permitted urgently to exercise the right to self-determination and independence without further delay by means of free and fair elections on the basis of universal suffrage.

The plan for implementation contained in Security Council resolution 435, which now commanded overwhelming support, provided the basis for the achievement of internationally accepted independence for Namibia. It had been accepted both by SWAPO and by the Government of South Africa. In January this year, however, the strenuous efforts to implement resolution 435 had suffered a most serious reverse at the pre-implementation meeting held in Geneva (see pp 39-40). The meeting, which for the first time had brought together all the parties concerned, had presented a unique opportunity to achieve Namibia's independence through an internationally acceptable solution. That opportunity had been lost through South Africa's prevarication; an action for which Community members had seen no justification. Moreover, Sir Anthony continued, South Africa and its representative, the Administrator General, had taken steps in Namibia which Community members regarded as retrogressive; these included conscription, the most recent extension of the powers of the so-called Council of Ministers, and the second-tier elections. These actions

[1]Under article 39, the Security Council can determine the existence of any threat to peace, breach of the peace, or act of aggression and recommend or decide what action may be taken, including the use of armed force, to maintain or restore international peace and security.

were divisive; they exacerbated tensions inside the territory, and they were not consonant with an internationally acceptable solution. The Community's members rejected any attempt to impose an internal settlement on Namibia. They had repeatedly made clear that they regarded it of the utmost importance that South Africa should abide by its declared willingness to let Namibia gain independence in accordance with resolution 435. They wished to underline once again the grave consequences of delay in implementing the settlement plan.

After reference to the recent large-scale incursions into southern Angola (see above), Sir Anthony said that the Community remained gravely concerned at the consequences for the whole region that resulted from the continuing delay to reach agreement on implementation of the settlement plan. It made it all the more necessary urgently to pursue the effort to bring about the independence of Namibia on the basis of resolution 435. He welcomed and supported the continued readiness of the front-line states to work for a settlement on this basis and the determination of the five Western states to continue their effort. The right to self-determination and independence should not continue to be denied to the people of Namibia by South Africa. Everyone concerned, and above all South Africa, should not throw away the progress that had been achieved and should examine all the possibilities that might help to bring about agreement on the implementation of the plan without further delay.

Whale Conservation

During the annual general meeting of the International Whaling Commission, held in Brighton in July, Britain proposed a moratorium on the commercial killing of whales.

Opening the meeting the Parliamentary Secretary at the Ministry of Agriculture, Fisheries and Food, Mr Jerry Wiggin,[1] said that Britain and other countries felt it right to propose an indefinite ban on all commercial whaling on the grounds that knowledge of whales was not yet adequate to enable catch limits to be set at sustainable levels, and satisfactory methods of killing had still not been developed. Stocks had been exploited over many years to levels where increased protection was necessary, for there was little evidence to show that grossly depleted stocks necessarily recovered to their previous population levels. Because of doubts and uncertainties, the only safe course was to end commercial whaling. Mr Wiggin stressed that what Britain was proposing was a moratorium: 'We recognise that other countries have a legitimate commercial interest in whaling and if, in the future, it could be shown beyond reasonable doubt that some exploitation of stocks might safely be resumed, and that satisfactory methods of killing were available, the lifting of the ban might be considered.'

[1]See p 251 for ministerial changes.

In the event of the Commission's once again being unwilling to agree to a ban on all commercial whaling, Mr Wiggin said it should at least adopt measures to protect those species and areas subject to the greatest risks. Britain was therefore suggesting a ban on all whaling in the North Atlantic so that depleted stocks could recover and proper stock assessments, based on sound scientific principles, be made. The North Atlantic was the only area in which fin and sei whales were currently being caught, and the conservation status of the two species was of the greatest international concern.

In addition, Britain wanted a ban on the commercial exploitation of sperm whales as stocks had been over-exploited and the impact of whaling on their social structure was not understood; a ban would allow time for further research, for the depleted stocks to recover to higher levels, and for better analysis of the data. Furthermore, there was no longer any pressing need for sperm whale exploitation, since substitutes were or could be made available; this was one of the factors that had persuaded the British Government to press for the ban (due to come into effect on 1 January 1982) on the import of whale products into the European Community.

Mr Wiggin said that Britain was concerned about the 'unjustifiably cruel' methods used to kill whales. Although the Commission had agreed in 1980 to ban the use of the cold-grenade harpoon for killing all species, except minke whales, Britain wanted this to be extended to minke whales. Moreover, the Commission could not allow matters to rest there, for in the longer term a replacement for the explosive harpoon clearly had to be found.

In conclusion, Mr Wiggin said that recent British legislation, the Fisheries Act 1981, would prohibit the taking or treating of whales, porpoises and dolphins within Britain's fishing limits. (The Act came into force on 2 August.)

Commission Decisions

The Commission decided to ban the use of the cold-grenade harpoon for killing minke whales for commercial purposes from the 1982-3 pelagic and the 1983 coastal seasons. In addition, stringent new restrictions were agreed on the taking of sperm whales. On 26 July Mr Alec Buchanan-Smith, Minister of State at the Ministry of Agriculture, Fisheries and Food, while regretting that agreement had not been reached on a complete moratorium on the commercial killing of whales, welcomed the major steps taken towards improved conservation, especially the new restrictions on taking sperm whales, and the banning of the cold-grenade harpoon.

Shorter Note

BELIZE

Britain has agreed a £12 million independence aid package for Belize, half in grant form and half as

an interest-free loan. The existing technical co-operation programme, under which Britain provides Belize with expertise not available locally and training opportunities for its students, will also continue. This costs about £600,000 annually.

Between 1975 and 1979 British aid to Belize amounted to some £20 million, some £7·4 million of which was provided in 1979. Most of the aid was provided as grants and was used for road, bridge and airfield construction, the provision of water supplies and sanitation, forestry development, agricultural improvements, the construction of schools, colleges and hospitals and programmes concerning the control and eradication of disease. Much of the new aid is likely to be used for the further development of Belize's road system, including the completion of the major Northern Highway project.

[For further information see p 215 and COI factel *Belize*, No 119/Factel/81.]

Balance of Payments in 1980

There was a surplus of some £3,200 million on the current account of the balance of payments in 1980, compared with a deficit of nearly £900 million in 1979. The improvement is accounted for by the movement from a deficit to a surplus on visible trade as exports held up and imports declined.

Revised figures for the balance of payments are contained in the Balance of Payments Pink Book, published on 2 September,[1] which gives a detailed analysis for each year since 1970. Provisional figures were included in an article on pp 111-14 which also described the pattern of overseas trade in 1980. The present article contains a brief description of the main changes in the balance of payments in 1980, highlighting some of the points brought out by the Central Statistical Office in its press notice on 1 September. A summary of the balance of payments is given in Table 1.

[1]*United Kingdom Balance of Payments 1981 Edition.* Central Statistical Office. HMSO, £8·75. ISBN 0 11 630781 1.

Current Account

A substantial improvement in the current balance occurred in 1980 (see Table 2) when there was a surplus of £3,206 million, compared with a deficit of £863 million in 1979. This was wholly accounted for by the improvement in the visible trade balance. Exports in 1980 were valued at £47,389 million on a balance of payments basis, 16·5 per cent more than in 1979, while imports were only 4·7 per cent higher at £46,211 million.

Invisible Trade

In 1980 credits on invisible trade totalled £25,764 million and debits £23,736 million, resulting in a surplus of £2,028 million, as against £2,595 million in 1979. While the balance on most types of service improved (see Table 2), the surplus on travel fell by £480 million to £208 million. An increase in credits reflected higher average expenditure per visit made to Britain, but this was more than offset by a large increase in debits, as 14 per cent more visits were made overseas and average expenditure per overseas visit rose by 15 per cent. The surplus on civil aviation earnings increased in 1980 in spite of a sharp rise in the

Table 1
Summary Balance of Payments

£ million

	1970	1975	1978	1979	1980
Visible trade balance	− 34	−3,333	−1,542	−3,458	+1,178
Invisible trade balance	+ 857	+1,812	+2,481	+2,595	+2,028
of which *Services*	+ *481*	*+1,519*	*+3,711*	*+4,039*	*+4,188*
Interest, profits and dividends	+ *554*	+ *773*	+ *592*	+ *846*	− *38*
Transfers	− *178*	− *480*	*−1,822*	*−2,290*	*−2,122*
Current balance	+ 823	−1,521	+ 939	− 863	+3,206
Investment and other capital transactions	+ 545	+ 134	−4,260	+2,177	−1,475
Allocation of Special Drawing Rights	+ 133*	—	—	+ 195	+ 180
Official financing:					
Net transactions with overseas monetary authorities	−1,295	—	−1,016	− 596	− 140
Foreign currency borrowing (net)	—	+ 810	− 187	− 250	− 941
Official reserves†	− 125	+ 655	+2,329	−1,059	− 291
Balancing item	− 81	− 78	+2,195	+ 396	− 539

*Includes gold subscription to International Monetary Fund (−£38 million).

†Drawings on (+)/additions to (−).

Table 2

Current Account

£ million

	1970	1975	1978	1979	1980
Exports (free on board)	8,150	19,330	35,063	40,678	47,389
Imports (free on board)	8,184	22,663	36,605	44,136	46,211
Visible balance	**– 34**	**–3,333**	**–1,542**	**–3,458**	**+1,178**
Invisible trade balance:	**+ 857**	**+1,812**	**+2,481**	**+2,595**	**+2,028**
Services:					
General government	– 309	– 570	– 698	– 799	– 791
Private sector and public corporations:					
Sea transport	– 80	+ 83	– 18	+ 121	+ 135
Civil aviation	+ 46	+ 105	+ 279	+ 288	+ 395
Travel	+ 50	+ 301	+ 958	+ 688	+ 208
Financial services	+ 439	+1,025	+1,542	+1,601	+1,595
Other services	+ 335	+ 575	+1,648	+2,140	+2,646
Interest, profits and dividends:					
General government	– 269	– 514	– 615	– 576	– 655
Private sector	+ 823	+1,287	+1,207	+1,422	+ 617
Transfers:					
General government	– 177	– 370	–1,703	–2,058	–1,832
Private sector	– 1	– 110	– 119	– 232	– 290
Current balance	**+ 823**	**–1,521**	**+ 939**	**– 863**	**+3,206**

Table 3

Analysis of Investment and Other Capital Transactions

£ million

	1970	1975	1978	1979	1980
Overseas investment in Britain	+ 703	+1,514	+1,908	+4,307	+4,649
British private investment overseas	– 829	–1,367	–4,634	–6,555	–6,891
Official long-term capital	– 206	– 291	– 336	– 401	– 125
Import credit	+ 14	+ 59	+ 349	+ 72	– 238
Export credit	– 395	– 577	– 920	– 849	– 907
Foreign currency borrowing or lending abroad by British banks	+ 472	+ 253	– 433	+1,623	+2,024
Exchange reserves in sterling:					
British government stocks	+ 63	+ 7	– 115	+ 248	+ 930
Banking and money market liabilities, etc	+ 130	– 624	– 4	+ 531	+ 316
Other external banking and money market liabilities in sterling	+ 266	+ 550	+ 293	+2,581	+2,569
External sterling lending by British banks*	+ 124	+ 94	– 507	+ 198	–2,462
Other external borrowing or lending:					
British public sector†	– 2	+ 56	+ 22	– 7	– 165
British private sector	+ 143	+ 260	+ 66	+ 497	– 938
Other transactions	+ 62	+ 200	+ 51	– 68	– 237
Total	+ 545	+ 134	–4,260	+2,177	–1,475

*Excludes credit for British exports.

†Excludes official financing.

passenger revenues of overseas airlines from British residents. Dry cargo sea transport, which has traditionally been in surplus, showed a large deficit for the second successive year (£234 million), but this was more than offset by the growing surplus on tanker operations (£369 million) which occurred partly because of reduced freight payments on the lower volume of oil imports. Net overseas earnings of the City of London (British financial institutions) amounted to £2,143 million in 1980, representing a partial recovery from the low level in 1979 (£1,983 million), but below the peak of £2,388 million recorded in 1978. A major contribution to the recovery came from the banking sector, with net earnings of £314 million in 1980 being almost double those of 1979. Net earnings of most other financial institutions also rose, with the exception of insurance where they fell by £149 million to £860 million.

Interest, profits and dividends showed a small net deficit of £38 million in 1980, following a substantial surplus of £846 million in 1979. While credits rose by 4 per cent, debits grew by 17 per cent mainly as a result of higher earnings in Britain by overseas oil companies and increased interest payable on overseas residents' sterling deposits with British banks.

Investment and Other Capital Transactions

Investment and other capital transactions showed a change from a net inflow of £2,177 million in 1979 to a net outflow of £1,475 million in 1980 (see Table 3). British private investment overseas rose only slightly in 1980, to £6,891 million, but there was a marked change in the pattern of investment. Following the abolition of exchange controls in 1979 (see pp 192 and 338, 1979), portfolio investment in overseas securities increased sharply to £2,958 million in 1980, compared with £909 million in 1979, whereas oil companies' investment overseas declined substantially. Overseas investment in Britain also rose slightly, to £4,649 million in 1980. The rise was wholly directed to the private sector and was mostly accounted for by higher investment by overseas oil companies.

Trade and Other Transactions with the European Community

Trade in goods with other member states of the European Community continued to represent an important share of visible trade – about 43 per cent of both imports and exports in 1980. The improvement in the balance of visible trade with the rest of the Community, from a deficit of £2,629 million in 1979 to a surplus of £709 million in 1980, was proportionately more than for the world as a whole. Private sector invisible transactions with the European Community showed a smaller surplus in 1980 than in 1979, largely owing to higher travel expenditure by British residents and a rise in the earnings of European Community oil companies. Contributions and other payments to the Community amounted to £1,783 million (£157 million more than in the previous year), but cash transfers from Community institutions to Britain rose sharply to £1,069 million, reflecting higher receipts under the Community's agricultural policies and from the Regional Development Fund, and the first instalment of budget refunds negotiated in May 1980 (see pp 182-3 and 314-15, 1980).

The Closed Shop and Human Rights

Following a judgment at the European Court of Human Rights, which upheld the right of three British workers not to belong to a trade union, the Government has expressed its support for the men's cause and is to consider whether further protection of this right in law is necessary.

By a judgment delivered in Strasbourg on 13 August the European Court of Human Rights held that the dismissal of three men (Messrs Young, James and Webster) from their jobs, because of their refusal to join a trade union specified in a closed shop agreement, had given rise to a breach of Article 11 of the European Convention on Human Rights. The men, who took their case to the Court in 1976 and 1977, were employees of British Rail in 1975 when a closed shop agreement was concluded between their employers and three trade unions, providing that in future membership of one of these unions was a condition of employment. The men were dismissed in 1976 for declining to satisfy this condition. They each considered that an individual should enjoy freedom of choice as regards union membership; in addition, Mr Young and Mr Webster objected to trade union policies and activities and Mr Young to the political affiliations of the unions concerned.

The Court was of the opinion that, even if no general rule against compulsory membership were contained in the Convention, it did not follow that each and every compulsion to join a particular trade union was compatible with Article 11 (which covers the right to join a trade union – see below), for this would strike at the very substance of the freedom the Article was designed to guarantee. A threat of dismissal involving loss of livelihood was a most serious form of compulsion and, in the present case, had been directed against employees engaged before the introduction of any obligation to join a particular union. In the circumstances, such a form of compulsion seriously undermined the freedom guaranteed by Article 11 and, for that reason alone, there had been an interference with that freedom.

Moreover, Article 11 had also, in the present case, to be considered in the light of Articles 9 and 10. The protection of personal opinion which they afforded in the shape of freedom of thought, conscience and religion and freedom of expression was also one of the purposes of freedom of association as guaranteed by Article 11. Accordingly, it struck at the very substance of that

Article to exert pressure, of the kind applied to the three men, to compel someone to join associations contrary to his or her convictions.

The Government has made it clear that it sympathises fully with the three applicants, and has pointed out that the Employment Act 1980 (see pp 21-3, 1980) now provides a right for employees who do not wish to join a union when a closed shop is introduced to remain outside a union and to take their case to an industrial tribunal if this right is violated. The Act also provides similar protection for those who are opposed to union membership on grounds of conscience or other deeply held personal convictions. These two new safeguards appear to meet major points in the Court's judgment.

The Government did not defend the applicants' dismissal before the Court, and it intends to study the judgment to see whether any further changes in the law are necessary beyond those already made in the 1980 Employment Act.

The text of the Convention Articles referred to is as follows:

Article 9

1 *Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.*

2 *Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.*

Article 10

1 *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.*

2 *The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*

Article 11

1 *Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.*

2 *No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedom of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.*

Renewable Sources of Energy

The United Nations Conference on New and Renewable Sources of Energy, held in Nairobi in Kenya from 10 to 21 August, agreed on a programme of action to further the development and utilisation of these resources.

In his speech to the Conference, the Secretary of State for Energy, Mr David Howell,[1] announced that the British Government had allocated an additional £2 million from within the United Kingdom Aid Programme for technical co-operation activities to assist developing countries on energy matters, with priority going to the poorer countries with a particularly high dependence on imported oil.

The Conference was attended by official delegates from 125 countries and by a total of some 5,000 participants including the representatives of large numbers of international and non-governmental organisations. The programme of action approved by the Conference calls for a peaceful, orderly transition from the present international energy economy based primarily on hydrocarbons to one based increasingly on new and renewable energy sources. It specified that the transition should take place in a manner which was socially equitable, economically and technically viable, and environmentally suitable. The Conference agreed that urgent action was required in five priority areas: energy assessment and planning; information flows; research, development and demonstration; the transfer and adaptation of mature technologies; and education and training. It recommended that the immediate launching of the programme should be entrusted to an interim committee, with a final decision on institutional arrangements to be taken by the United Nations General Assembly in 1982. It also requested the International Bank for Reconstruction and Development (the World Bank) and the United Nations Development Programme to undertake a joint study to assess the supporting actions and pre-investment requirements needed for developing new and renewable sources of energy.

This article contains a summary of the speech made to the Conference by the Secretary of State for Energy, a summary of the British national paper on renewable sources of energy prepared

[1]See p 251 for ministerial changes.

for the Conference, and a description of British aid on energy projects.

ENERGY SECRETARY'S SPEECH

Speaking on behalf of the European Community and its member states as well as for Britain, the Secretary of State for Energy in his speech on 11 August said that the Conference could mark 'the start of a truly comprehensive, lasting and fruitful co-operation between all countries to achieve the distant but essential goal of abundant, affordable and sustainable access to energy for all people'. This would 'take much effort, goodwill and determination'. Recommendations must be based 'soundly on rational objectives and humanitarian considerations, both technical and non-technical', so that they would 'command the respect of those concerned with the planning, financing and execution of the very substantial energy programmes in other international and national bodies'. If this were achieved, the Conference would be 'of lasting benefit to people of all nations'.

'As the assured and easily accessible supplies of fuel dwindle and become more costly', Mr Howell continued, 'it is becoming all the more important not only to use them to the greatest effect but to find additional supplies and to harness what other energy sources – conventional, new and renewable – that we can discover and afford. This is in order to enable us not only to maintain the basic standard of life for which energy is necessary, but to open the way to higher living standards. To do this will require that we all contribute, in our several complementary ways, to this common goal.'

Research and Development

Mr Howell outlined the work being conducted by the European Community, and by Britain within the Community, on new and renewable sources of energy and on aid. He said that the European Commission had estimated that new and renewable energy resources could provide between 6 and 10 per cent of the Community's energy supply in the year 2000. Community countries had their own substantial public and private programmes of research and development and of the application of new and renewable energy sources, including projects intended to accelerate and expand the use of these sources, both within Europe and in developing countries. At the same time hydro-electric, geothermal and peat resources had a long history of application on a substantial scale. 'Wind, solar, biomass and ocean sources are the subject of intensive research, development and demonstration', Mr Howell said, 'and we believe that they will become increasingly useful to us and to other countries by the end of this century.'

In Britain

Within Britain, Mr Howell continued, renewable sources might contribute up to 10 per cent of energy supply by the twenty-first century. This was against the background of the Government's determination to reduce dependence on oil, a determination reflected in Britain's declining oil consumption and minimal use of oil for electricity generation. 'It is reflected', Mr Howell said, 'in our readiness to accept realistic pricing for fuels, which is, of course, the starting point in economy of use and in promotion of investment in alternatives.' The Government had published broad assessments of the potential of the renewable sources for meeting Britain's energy needs and was supporting programmes of research, development and demonstration aimed at resolving some of the technical and economic uncertainties and bringing forward the time when the more promising options could be utilised to advantage. Universities and research institutes had been active in developing early ideas and worked closely with British manufacturing firms and consulting engineers. Many individuals and firms were marketing or had started to develop commercial equipment intended to harness a renewable energy source economically and effectively, usually on a small local scale. The Secretary of State drew the attention of delegates to a folder containing a number of items produced by Britain for the Conference including a directory of expertise,[1] a guide to lead those interested in particular technologies to the sources where expertise existed in Britain. They demonstrated clearly the importance of the private sector in the development and application of new and renewable energy sources, and the situation was similar in other European Community countries. A great deal of research was undertaken by private sector companies, large and small, and private firms of consultants also possessed much expertise.

Aid

Mr Howell said that the Community and its member states were the foremost suppliers of aid to the developing countries in the energy field, providing over $700 million of official development assistance in 1979. 'The energy sector is an important and substantial part of the UK's aid programme.' In 1979 and 1980 some 30 per cent of Britain's bilateral aid had been devoted to the energy sector as a whole – more than half being on renewable energy (mainly hydro-electricity) – representing some $550 million in bilateral energy aid. In addition, there was a growing research and development programme concerned mainly with small-scale technologies for the application of renewable resources in rural areas for the developing countries, supplemented by programmes within the Tropical Products Institute and through the appropriate technology fund. For the past three years the Overseas Development Administration had had a full-time energy adviser who kept in close contact with the research and development programmes of the Department of Energy. Mr Howell announced to the Conference that the Government had 'decided to earmark £2 million as a special allocation for technical co-operation activities to assist governments in the planning of their energy resources in order to help them adjust to the situation in the world energy

[1] *New and Renewable Sources of Energy: A Directory of UK Expertise.* Available free from the Press Office, Department of Energy, Thames House South, Millbank, London SW1P 4QJ.

market'. Priority would be given to the poorer countries with a particularly high dependence upon oil imports. For example, the Government would be prepared to provide basic energy studies on resource availability and future demand, and more specific pre-investment studies related to particular energy development and conservation opportunities including renewable resources.

Objectives for the Conference

Mr Howell said that the European Community saw a number of important and specific objectives for the Conference. These were, in no order of priority: 'first, a realistic assessment of the need for and the role of the new and renewable resources in the context of the whole world's energy requirements and which identifies their potential value, and the obstacles to their development, and which recommends ways to reduce these obstacles; secondly, to encourage all governments to establish national priorities for the new and renewable resources within the framework of overall energy policies based on sound assessment of demand and of resources; thirdly, to improve the international exchange of information relevant to the use of the new and renewable sources; fourthly, to stimulate, especially in ways which will benefit the developing countries, the bringing of more mature technologies to the point of commercial viability, taking account of social acceptance and environmental impact; fifthly, to promote other technologies, as yet not cost-effective, but which show promise for the future; and finally, to expand co-operation at the sub-regional, regional and national levels'.

On the implementation of the programme of action, the Community favoured an intergovernmental committee concerned with new and renewable energy sources, membership of which should be open to all states and organisations. It should be an existing agency already operating in related fields, such as the United Nations Committee on Natural Resources, in an appropriate format. The Community recognised that the Nairobi programme of action would 'require continuing and additional financial support from all countries in a position to provide it, international financial institutions, multilateral development agencies and the private sector'.

Mr Howell said that in the Community a significant part of expertise available was to be found in the private sector. Private flows already provided two-thirds of the external finance to the developing countries. 'The further development and application of the new and renewable sources of energy will therefore be substantially enhanced where there exists an economic and political climate which favours such investment.' The qualitative aspects of financial assistance for developing countries were as important as the quantitative aspects, the Secretary of State continued. 'It is vital that the best possible use is made of all available resources. In particular, efforts should be made to reach a better coordination of the financial mechanism within the UN system. The UN programme must be linked in with other work under way internationally in order to harness effectively and efficiently the huge resources which are already available to tackle the increasingly urgent problems of the energy transition.'

Conclusion

In conclusion, Mr Howell said that discussion at the Conference had to be based on a 'sound and realistic appreciation of the short-, medium- and long-term potential of the new and renewable resources to meeting our manifold energy needs. We must reach agreement on a programme of action which is clear, achievable and so structured that it will provide the basis and development and application of these sources for the continuing benefit of us all.'

RENEWABLE ENERGY SOURCES IN BRITAIN

Energy supplies in Britain are used mainly to meet three requirements – heat in buildings and industrial processes (nearly 60 per cent), transport (nearly 20 per cent) and electricity for purposes other than heating (20 per cent) – according to the British national paper submitted to the Conference.[1] The present annual primary energy input amounts to about 330 million tonnes of coal equivalent (mtce). Renewable sources make only a small contribution, with hydro-electricity and wood providing about 2 and 0·5 mtce respectively. Originally Britain's energy was supplied entirely by wind and water power, animal power and by wood fires; the decline in the importance of renewable sources occurred partly because of a reduction in the resource base (such as the cutting down of forests), but mainly because of the cheapness, versatility and wide availability of energy derived from readily available supplies of coal and more recently of oil and gas.

The Future

Higher prices for fossil fuels over recent years have led to a revival of interest in renewable energy sources. Sufficient work has now been carried out on renewable sources, both in Britain and overseas, to show that each of those being developed under the British programme is technically feasible. In some cases, such as wave and wind power, detailed design studies by British consultants and manufacturers have shown that appropriate systems could be built and made to work and, if deployed on a sufficient scale, could in principle make a very significant contribution to future energy requirements. Judgments of the contribution early in the twenty-first century from each of the renewable sources for Britain are shown in the table, based on the current state of understanding arising from the research and development programmes; the sources are classified by the form in which they can most readily provide useful energy and by their degree of reliability or constancy.

Heat Supply

The paper says that it is technically feasible to provide heat from most of the renewable sources

[1] *Renewable Energy Sources in the United Kingdom.* Available free from the Press Office, Department of Energy, Thames House South, Millbank, London SW1P 4QJ.

Expected Contribution of Renewable Energy Sources in Britain

Sources	Form of supply most readily available	Constancy of supply	Judgment of possible contribution early in the twenty-first century (mtce a year)	State of development
Geothermal aquifers	Low temperature heat (less than 100°C)	Excellent	5	Resource assessment and early trials
Geothermal hot dry rock	Medium temperature heat (up to about 250°C)—electricity generation	Excellent	Small	Research phase
Solar	Low temperature heat (less than 100°C)	Poor. Daily seasonal variation. Least available when most needed	5	Commercially available for water heating. First space-heating systems coming on the market
Biomass	Fuels (solid or gases) convertible to heat by combustion	Good	5	Already in commercial use for combustion of wastes; development required of both technology and infrastructure for wider use for production of solids, gases and liquids
Biomass	Fuels (liquid) for transport	Good	6	Research phase
Wind	Electrical	Poor. Seasonal and annual variations. Most available in winter	5	Detailed designs of horizontal axis 3–4 megawatt machine now moving into construction phase. Early designs of vertical axis machines being made. Studies of offshore resource prospects in hand
Wave	Electrical	Poor. Daily, seasonal and annual variations. Most available in winter	Probably small	Programme now focuses on two designs: the Bristol cylinder and Lancaster bag. The central problem is whether costs can be brought below 5p per kilowatt-hour
Tidal	Electrical	Good. Daily and monthly variations, but predictable	10	A pre-feasibility study of the Severn Estuary suggests that a barrage might produce electricity at a cost not far above that of a coal-fired station
Hydro	Electrical	Excellent/moderate depending on site	3 (already 2)	Well-proven technology, both in Britain and abroad

and the main obstacle to their exploitation is economic. A very small amount is already utilised in the space heating and water heating markets. For example, a school at Wallasey (Merseyside), built in 1962, is probably the world's largest passive solar building; it is heated by the sun and by heat arising from lighting and people within the building. However, this is exceptional and there is no widespread application of this technology, although about 200 experimental passive solar houses are being monitored to assess the economics and potential energy contribution. The indications are that some passive solar designs could be economically viable, and several housing estates incorporating passive features have been or are being built.

In active solar heating there are some 70 British companies involved in selling solar heating systems or components, mainly for water heating, although there is considerable debate about the economics of this application. At least one company is starting field trials for a solar space heating system. The government-supported research and development programme is aimed at developing low-cost water heating systems of optimal performance designed to meet a mass market and, by design studies and field trials, defining the likely cost and performance of space heating systems suitable in the prevailing British climate.

Although geothermal energy is not yet being utilised in Britain, in the first part of the research programme regions were identified where hot aquifers are believed to exist with characteristics similar to those found in the Paris Basin, where the heat is being commercially exploited. The first

exploratory borehole, near Southampton, has confirmed the presence of water at 70° Centigrade at a depth of 1,600 metres (5,200 feet) below the surface.[1]

A small amount of biological waste is already used in combustion and, as no basically new technology is involved, its use could probably grow quite rapidly, especially as land for waste disposal becomes more difficult to find. In addition, a research programme has begun on conversion of wastes to gases and liquids, and on crops and forestry to supplement the amount of biomass that is available. Much of this work is carried out in conjunction with universities, research institutes and consultants with first-hand experience in the developing countries.

Transport Fuels

Energy required for transport is provided almost entirely by oil, with a minor contribution from electricity, mainly for railways. The paper says that it is hard to see any competitor for liquid fuels for road and air transport other than the possible use of electric vehicles in urban areas. The only renewable source having the potential to produce a comparable liquid fuel is biomass, but provision of feedstock for conversion to fuel is an important limiting factor in a densely populated country.

Electricity

Apart from hydro-electricity, the renewable energy resources at present make no contribution to Britain's centralised electricity supply system, although studies are in progress to evaluate wind, wave, tidal and geothermal hot rock technologies. It has been estimated that about 200,000 gigawatt-hours (GWh) a year of offshore wind energy are available within 30 kilometres (19 miles) of the shore and it might be feasible to land about half of this. However, the paper says that considerable development work is needed as present preliminary estimates show costs to be two or three times as high as current energy costs. Nevertheless, several British companies have sufficient confidence in their ability to develop lower cost machines to invest in the technology's development. Land-based wind resources are thought to be economic or nearly economic on the most windy sites, but would provide in total only 15,000-20,000 GWh a year. A much larger supply could be generated using less windy sites as well, but a proportionately greater number of aero-generators would be required and there could be conflicts of land use. The economics of wave energy are similar to offshore wind energy, but it could probably provide only about half the amount of energy within 10 kilometres (6 miles) of the shore and is at a considerably earlier stage of development.

A number of sites where tidal power might be harnessed exist in Britain, but only one, the Severn Estuary (the largest) has been studied in detail.[1] It is thought that a Severn Barrage scheme could provide 10,000-20,000 GWh a year with costs comparable to, or a little greater than, those of coal-generated electricity.

All these resources have the characteristics that they are not firm sources of electrical power and their economics have to be judged mainly in terms of fuel savings. They would have to be complemented by other plant or by large-scale storage to provide a guaranteed supply. One exception, which could provide a firm power source of electricity if the promise from experimental results in Los Alamos in the United States and in Cornwall is realised, is geothermal hot rock. Work in Cornwall on explosive initiation of the necessary extensive fracturing in the impermeable rock promises to be an important advance in this technology.

International Co-operation

The paper says that, although many of the technical, economic and institutional questions considered in the research and development programmes on renewable energy sources are specific to the British climate, conditions and needs, most contain some aspects which are less specific and therefore appropriate to international collaboration. They have benefited from selective collaboration, either informally or through the more formal mechanisms of the International Energy Agency and the research and development programmes of the European Community.

The Overseas Development Administration has funded a considerable number of major hydro-electric schemes in other countries, the most recent being the Victoria Dam in Sri Lanka which will provide a total of some 420 megawatts (see p 272). In recent years it has also supported a modest but increasing number of research and development projects aimed at the application of renewable energy sources to the needs of developing countries, particularly in the rural sector. The broad aim is to assist countries to identify and develop techniques to meet perceived energy needs and to implement these techniques without substantial imports of equipment. The main topics covered at present include the choice and management of tree species to provide wood for fuel, more efficient small-scale production of charcoal and its use as a source of producer gas for engines, more efficient use of wood and charcoal for cooking, 'micro-hydro' technology, wind-pump technology and solar crop drying, while the utilisation of wave power by island communities has also received some consideration.

BRITISH AID

With the sharp increases in the cost of oil in the 1970s having seriously affected many countries' development prospects, particularly those of the

[1]On 13 August Southampton City Council announced that it intended to implement a £2·7 million scheme to harness geothermal energy to provide a district heating system for a large part of the centre of the city.

[1]In a report published on 22 July, the Severn Barrage Committee says that a scheme to generate electricity from the River Severn involving the construction of a barrage is technically feasible and might be economic. It recommends that further studies should be carried out to establish the environmental and social acceptability of a barrage. The Government welcomes the report as a basis for consultation on the complex issues involved. *Tidal Power from the Severn Estuary*. Volume 1. HMSO, £9-80. ISBN 0 11 410916 8.

poorest, Britain has been increasing its aid in this area. In 1979 and 1980 energy projects accounted for some 30 per cent of bilateral disbursements classified by sector, compared with an average of 12 per cent for the years 1970 to 1978. Commitments totalled £126 million in 1979 and £110 million in 1980. Most of this aid has been directed towards large-scale hydro or thermal electricity generating and distribution projects, though some small- to medium-scale schemes of benefit to rural areas and small islands have also been undertaken. (See also pp 258–60).

Project Aid

A number of projects have been directed specifically at reducing the need for imported oil. For instance, a £100 million grant is being provided for the Victoria dam and power station project in Sri Lanka which, when completed, will provide one-third of the country's generating capacity. (The dam will also facilitate the irrigation of some 24,000 hectares along the Mahaweli River.) Recent grants to India have included some £19 million for developing coal resources, including the introduction of mechanised mining techniques which will enable a fourfold increase in output, while Bangladesh has received £4·5 million for natural gas production. A rural electrification scheme in the Philippines involving the development of wood-burning power stations is being aided with a £2 million loan.

Where essential, aid for conventional large-scale generating and transmission equipment is also provided, even if oil powered. This has been the case when alternative energy sources have been more expensive or not available, as with electricity schemes Britain has supported in small islands like Malé in the Maldives (£300,000), the Indonesian islands of Bali and Madura (£10 million) and Mahe in Seychelles. Similarly, Britain is providing over £70 million in grants to assist the provision of generating units for two power stations in Khartoum, these being the most economical for the industrial use in question. (The fastest growing demand for power in the Khartoum region is for water pumping, particularly for the irrigated agricultural schemes on the Blue and White Niles.) In Jordan, Britain has provided a £3·5 million loan for a rural electrification scheme covering 27 villages.

The development of energy resources is also a primary concern of the Commonwealth Development Corporation (see pp 167-8) which at the end of 1980 had investments in over 20 energy projects in 18 countries. (Commitments to power and water supply projects at the end of 1980 totalled nearly £120 million.) Investment in these projects is normally by way of government guaranteed loans, although in Montserrat and some Windward Islands the Corporation has invested in equity form and manages certain small electricity projects. The largest project supported by the Corporation involved a loan of £15 million in 1956 to the Central African Power Corporation for the construction of the dam and hydro-electric generating station on the south – Zimbabwe – bank of the river Zambezi at Kariba. It has also helped finance another power station linked with the scheme on the northern bank of the river in Zambia. Hydro-electric power projects have also been assisted in Fiji, Kenya, Malawi and Malaysia. In 1980 the Corporation committed funds for the expansion of electricity generating capacity in six countries, the greater part being harnessed to hydro and geothermal sources of energy so as to reduce dependence on imported oil. These included a loan of £9·25 million for geothermal power generation in Kenya and loans of £5 million for hydro-electric power schemes in Honduras and Fiji. In addition, some £3·35 million was committed to Tanzania for an electricity distribution project.

Technical Co-operation

Technical co-operation in the energy sector has been principally concerned with exploration for energy resources (particularly in co-operation with the Institute of Geological Sciences, the Overseas Division of which undertakes work on behalf of the Overseas Development Administration), with consultancies on power generation and distribution and with assistance to developing countries wishing to assess their energy resources and develop strategies for their use, including energy conservation. Recent examples include consultancies on the development of a natural gas exploration strategy in Bangladesh, on power generation, transmission and distribution plans for the Indonesian islands of Bali and Madura, on energy conservation in Jamaica, and on geothermal investigation in Saint Lucia. Technical co-operation is often provided in conjunction with capital aid, as in the case with the Indian coal development project mentioned above. The provision of advice on the more efficient use of energy is expected to increase in the near future.

In its research and development programme, Britain has sought to increase its support for activities related to the use of small-scale alternative energy sources for use at village level. This has been assisted by the appointment of an Energy Adviser at the Overseas Development Administration and the definition of priorities by specialised working groups on solar energy, wind and water power, and biomass. Expenditure on research and development activities on new and renewable sources of energy totalled some £318,000 in 1980. Projects aided included investigations into methods for harnessing wind power, improving the working efficiency of stoves, the production of charcoal, the manufacture and use of producer gas in engines, the use of solar energy for crop drying, biogas production, and small hydro-electric power turbines. These investigations took place either in Britain or in developing countries, the latter including Korea, Peru, Dominica, Trinidad and Tobago, Kenya, Mauritius and Barbados.

Aid in the creation of fuel plantations for rural communities is being given to a number of countries, this including the establishment of village wood lots (Lesotho) and research and extension activities such as the planting of trees in farmlands, on roadsides and other appropriate sites (Nepal). These schemes also provide environmental benefits, through soil and water conservation,

and the provision of fodder for livestock, thereby mitigating the effect of past deforestation. The Commonwealth Forestry Institute, to which the Overseas Development Administration is a major contributor, is engaged in the selection and improvement of trees capable of wood production in previously deforested areas. Studies are also in progress at the Institute and the Tropical Products Institute, a specialist unit of the Overseas Development Administration, on the more efficient use of wood, whether for energy or other purposes. Other assistance is being directed towards the regeneration of natural forests following their exploitation or clearance.

Industrial Design

The Government sees the more effective use of design and designers as one of the key elements in its drive to encourage the country's industrial revival.

Announcing this during a debate in the House of Commons on 21 July (*Hansard*, Vol 9, No 147, cols 292–300), Mr Michael Marshall, Under-Secretary of State for Industry,[1] said that it was important that design should be properly understood. Design was involved in the whole cycle from the moment a product was conceived to its successful establishment in the market place, and was not merely a matter of its aesthetic qualities, or of its technological and functional aspects. Design was also involved in efficiency and economy of production, and in the best use of modern techniques and materials.

Mr Marshall said that while the effective use of design and designers was, without question, the job of industry, it was the Government's task to create the best possible climate for it. There was no part of the design process in which the Government was not already actively involved in providing assistance, either itself or through bodies that it funded or otherwise supported. Mr Marshall went on to describe a few of the key areas of government support.

Manufacturing

Mr Marshall said that the manufacturing advisory service, which was operated for the Department of Industry by the Production Engineering Research Association, provided a service to small- and medium-sized businesses to help them with their manufacturing problems. The service provided advice on manufacturing techniques and equipment appropriate to a project, and included value analysis, quality assurance, computer-aided design (see below) and computer-aided manufacture, the use of mini-computers and microprocessors (see below), production and stock control and many other manufacturing activities.

The microprocessor application project was introduced in 1978 (see p 263, 1978) in order to help British companies to see the scope for the improvements in performance offered by microelectronics.

The Computer-aided Design Centre, a Department of Industry research establishment, promoted the use of computer-aided design techniques to achieve the maximum improvement in productivity and profitability in the engineering industries. A system of computers was available for use in collaboration with industry for project work and application development as well as for productive use, while a close working relationship with industrial, university and research users created an effective means of bringing research results quickly into industrial use. The Centre often formed joint projects with industrial partners, an arrangement which not only reduced costs to individual firms but allowed the Centre to market systems on an industry-wide basis. A consultancy service was available to industrial companies embarking on the use of computers in engineering design and manufacture.

Mr Marshall pointed out that the good, technologically up-to-date designer could frequently help to save energy in the manufacturing process, reduce the number of parts needed, improve productivity, and so decrease the cost of the product. Radical design could also enhance the product from the user's point of view: for example, one of the objectives of re-designing cars was to save weight and improve fuel economy by the use of plastics and composites as well as by the use of microelectronic engine and fuel controls, combined with improvements in aerodynamics and greater knowledge of how internal combustion engines worked. Such examples emphasised the multi-disciplinary skills needed by the designer.

Data Banks and Data Bases

One very important technique of help to the designer, which the Department of Industry was actively encouraging, was the use of on-line interrogation of computer data banks and data bases. Specialised data bases carried up-to-the-minute bibliographical information on technological developments; and data banks, often created by research associations and publicly sponsored laboratories, provided the latest data for design engineers. Many of these data bases could be examined remotely from the designer's own office, while the Euronet data network (see pp 79-80, 1980) offered over 250 individual data bases to users within the European Community. The Government hoped that many more designers would be taking advantage of this cost-effective method of keeping in touch with technological advances as developments in information technology (see p 183) reduced the hardware and software costs of on-line searching of information.

Standards

Mr Marshall pointed out the need to design for the international market and to incorporate international specification standards at an early stage. It was for this reason that the Government was interested in a sensible public sector purchasing policy that encouraged such purchasers to use the

[1]The announcement of Mr Marshall's resignation as one of a number of ministerial changes was made on 15 September (see p 251).

influence their purchases gave them to help to develop design technology and to improve the international competitiveness of their suppliers.

Design Council

Mr Marshall said that the Design Council, which was sponsored and financially supported by the Department of Industry, was the principal means by which the Government was active in design education. The Council had been vigorously persuading and encouraging the authorities, particularly those responsible for higher education, to develop courses on all aspects of design and also to improve the content of existing courses, redirecting them to match current industrial needs. Partly as a result of the Council's efforts there were now nearly 1,000 courses in design available in Britain. The Council also, with a grant from the Department of Industry, prepared audio-visual aids for teachers of design in secondary schools. Moreover, it played a part in educating management and the customer through regular exhibitions and displays at its design centres and by publicising the advantages of good design through such means as the design index and the annual awards (see p 177), and by publishing books and magazines. Its design advisory service was established in 1976 and now had over 450 members. The Government would look to the Council to play a full part in promoting information technology in 1982, designated Information Technology Year (see p 183).

Copyright, Designs and Performers' Protection

A Green Paper setting out the Government's views on the reform of copyright law and related matters was published on 15 July.[1] It discusses in particular the issues raised by private tape recordings of sound or video copyright works, the application of copyright to industrial designs, the use of photocopying, and remedies for the infringement of copyright material.

The Green Paper has its origin in the work of the Whitford Committee which was set up in 1973 to review British copyright law, and which reported in 1977 (see pp 128-9, 1977). Introducing the Green Paper at a press conference, Mr Reginald Eyre, Parliamentary Under-Secretary of State for Trade, said that following extensive consultations with interested parties the Government had been able to accept many of the Whitford Committee's proposals for changes in the law. In some areas, however, the Committee had been unable to reach a unanimous view, and in these and in other areas wide divergences of opinion had become evident from the consultations. The Government was therefore publishing a Green Paper which gave background information as well as the Government's views in order to promote an informed public debate.

The Green Paper notes that, while copyright law was originally concerned with preventing the unauthorised copying of printed books, it has developed so as to protect a remarkably wide range of other works and subject matters and to extend the activities which can be controlled by copyright owners. Copyright not only protects individuals from plagiarism but provides a legal framework for the livelihood of firms and organisations that disseminate material to the public, such as record, film and broadcasting companies. While copyright plays a significant role in commercial life, it also has considerable impact in education, where there is a public interest. A comprehensive and intricate code has therefore developed, which is at present expressed in the Copyright Act 1956.

The 1956 Act had lasted well, said Mr Eyre, but it was time that it was reviewed. 'Since it was enacted there has been a great upsurge in publishing, broadcasting and the music industry', he said. This had been accompanied by technical developments which had raised many new issues. Of those discussed in the Green Paper the most far-reaching issues were the questions of home taping, industrial designs, photocopying and piracy.

Private Recording

Under the 1956 Act the copying of a sound or video recording on to blank tape requires the permission of the owner of the copyright in the work that is being copied as well as that of the owner of the separate copyright in the recording itself. The use of tape recording equipment, particularly in the home, however, is resulting in a widespread infringement of copyright. As the Whitford Committee pointed out, the practical problems of policing these infringements makes it impossible for copyright owners to exercise their rights.

Sound Recording

One solution, says the Green Paper, would be for those who wish to make private sound recording copies to pay a 'blanket' licence fee to a central body which would be set up to collect licence fees and distribute the revenue among copyright owners. The drawback, however, is once again the policing of those who do not take out licences. If a practical system could be developed to spoil tape recordings by means of a signal that was inaudible when records were played, the Government would consider supporting it by legislation against anti-spoiler devices. Research into such a system has been unsuccessful so far, however.

Another solution would be to impose a levy on tape recording equipment and/or blank tape. A number of problems arise from this proposal, including how to decide who would pay the levy, how it would be administered, how much the rate of the levy would be, and how much the rate of compensation would be. If payment by blank tape and recording equipment manufacturers were

[1] *Reform of the Law relating to Copyright, Designs and Performers' Protection. A Consultative Document.* Cmnd 8302. HMSO, £3·90. ISBN 0 10 183020 3.

decided on, it could be argued that they would pass on the amounts payable by raising purchase prices. This would inevitably attract representations from various sectors of the community – in education or welfare, for example – which considered that they had special grounds for being exempted from paying higher prices. Administration would undoubtedly be complex, when the questions of exemptions on the collection side, and of apportioning the proceeds on the distribution side, were taken into account. There is also the problem of assessing the rate of the levy. Some assessment of the losses sustained by record companies has been made. It has been estimated that some 25 million sales of long-playing records were lost through home-taping in 1977. Since the rights of owners and artists account for about £2 for every record, there could be some £50 million to be retrieved annually. If this were applied to all blank cassettes, then, with sales of some 35 million cassettes a year, the levy per cassette would be about £1·40; this would more than double the cost of a medium-grade 90-minute cassette tape. Alternatively a 60p levy on each tape and a £10 levy on each recording machine (assuming sales of 3 million a year) would also realise £50 million. However, says the Green Paper, since factors other than private recordings – including varying rates of value added tax, varying levels of disposable income and the varying popularity of music recorded in given years – must also be taken into account, it is evident that sales lost as a direct consequence of private copying cannot be precisely quantified. There are also the considerations that the increase in prices resulting from a levy would run counter to government policies aimed at controlling inflation, and that part of the amount raised by a levy would go abroad, without any compensatory inflow, since the copyrights in some 15 to 20 per cent of the works involved belong to foreign owners, and some 65 per cent of long-playing record sales in Britain are made by foreign-owned companies.

Video Recording

The enforcement of copyright in the case of video-taping presents the same policing problems as with sound recording. The Green Paper says that, while video copying is a relatively new problem, the evidence so far suggests that it may not be analogous to sound recording. In particular it is not clear that commercial interests are detrimentally affected. The normal practice is for the user to record a programme at a time when he is unable to watch and view it subsequently. The tape is then re-used to record other programmes in the same way. The recorders currently available do not present a threat to makers of pre-recorded video-cassettes, since the machines only record broadcast material. The Government is therefore not convinced that video recording for private purposes harms the interests of the rights owners involved in video productions.

Conclusion

The Government has not received convincing evidence that the introduction of a levy on sound or video equipment or blank tape would provide an acceptable solution to the problems described; it may even have to be recognised that there is no acceptable solution.

Industrial Designs

The Green Paper notes that, while patents protect the idea incorporated in an invention, conferring a monopoly right on the owner, and while copyright protects a work against copying (without conferring a monopoly), industrial designs deal with 'an uneasy territory concerned with articles produced in quantity which are lacking in inventiveness of a kind such as to attract patent protection but which have an appearance which plays a part in the choice of an article'. If there is a novelty in features of shape which is of a non-functional kind, a design can be registered, acquiring monopoly protection for 15 years. There has always been a possibility of overlap between copyright and registered design protection, since both may cover the appearance of an article. The 1956 Act avoids duality by providing that as soon as a design is registered, the copyright becomes ineffective in the field of the design. However, the 1956 Act also protects three-dimensional copies of two-dimensional works, and drawings are regarded as works. Hence, whenever an article starts life as a drawing, and the drawing is recognisable in the article, copyright protection automatically exists. As a result, large numbers of machine parts incapable of being protected (for 15 years) under the Registered Designs Act, and rightly so, since they lack visual appeal, are protected for a longer term (25 years) under the Copyright Act, through fortuitously having started life as a drawing.

The Government is inclined to accept the minority view of the Whitford Committee that purely functional machine parts should not be protected against copying at all (unless they attract patent protection, that is). One reason is that the purely functional is not protected in most other countries. British spare parts manufacturers are therefore at a disadvantage compared with foreign competitors. More broadly, the Government does not believe that industrial progress will be helped if almost any industrial product is protected against copying.

While the purely functional should not be protected, the Government proposes that the general appearance of an article should be capable of protection in so far as its appearance is not dictated by the function the article performs. (The general appearance is a copyright protection, whereas the registered design approach considers individual features.) Such an article would not attract the normal copyright term applicable to artistic works, however (life of the artist plus 50 years); the Government proposes a 25-year term.

A final consideration is whether or not the Registered Designs Act should be repealed, as the Whitford Committee suggested. The Government feels that more debate is necessary to decide whether the design system, protecting features of shape and configuration, meets a different need

from the copyright system, which protects overall appearance.

Photocopying

While one of the fundamental elements of copyright is the control given to an author over reproduction of his work, certain activities are usually allowed without the author's permission and without payment to him. Such exceptions, known as 'fair dealing', include quotation for the purposes of criticism, review, or the reporting of current affairs, and the needs of students, research workers and non-profit-making libraries. It is understood generally that fair dealing should not compete with an author's work by, for example, diminishing its sales. However, the widespread use of modern photocopying equipment has undoubtedly led to abuse of the fair dealing exceptions, in particular through the making of multiple copies. It is difficult to establish the extent of this abuse.

The Whitford Committee recommended that encouragement should be given to 'blanket licensing', which would make it necessary to prohibit copying for research or private study, and to remove the right of non-profit-making libraries to make copies. The Government has doubts about the feasibility of these two recommendations, but would be prepared to limit the 'research and private study' exceptions to ensure that they are not carried out for business ends, and to limit the library exceptions to make it clear that systematic multiple copying of the same material is an infringement of copyright.

The Green Paper notes that it is already open to copyright owners under existing law to band together and establish licensing schemes and negotiate with different groups of users.

Remedies for Infringement of Copyright

The Green Paper reviews both civil and criminal remedies for infringement of copyright. The Whitford Committee proposed to make the sanctions under criminal law more effective in three ways: first, to make it an offence to possess an infringing copy in the course of trade; second, to make it the responsibility of a person accused of dealing with an infringing copy to prove that he is entitled to an acquittal; and, third, to increase the scale of penalties. The Government accepts the first and third of these without reservation, but has serious doubts about the second, which runs counter to the general principle of criminal law that the onus of proof lies with the prosecution. At any one time there is a huge amount of material protected by copyright and it would be unreasonable to expect an honest trader to prove that he did not know that a particular product was infringing a copyright.

Damages are the normal remedy for an infringement under civil law, and are based on the loss occasioned to the copyright owner. Penal damages may be awarded for flagrant infringement and, in the case of a person dealing in infringing copies, conversion damages may be awarded. The latter are based on the value of the infringing copies and may well exceed the damages obtainable for actual infringement and be out of all proportion to the loss suffered by the copyright owner. The Whitford Committee recommended that conversion damages should be abolished. This suggestion has been widely supported and the Government proposes to accept this view. In order to strengthen the remaining remedies, the Government proposes to strengthen the powers of courts to award penal damages.

The 1956 Act provides for the prohibition of imports of unauthorised printed copies of works if the copyright owner has notified the Customs authorities. The Government is prepared, in view of the increasing international traffic in pirate records and films, to widen the Act to include films and records. Because of the serious practical difficulties in detecting and identifying imported pirate material, however, it would be necessary for advance notice of the exact time and place of an expected importation to be given to Customs before an import prohibition could be enforced.

Other Proposals

Some of the other proposals in the Green Paper are summarised below.

Statutory Recording Licence. Once a composer has authorised a record of his work to be sold in Britain, he loses the exclusive right to authorise the manufacture of other records of it. On payment of a statutory royalty anyone is free to make and sell another record. The Government sees no need for this statutory licensing system (even though the Whitford Committee recommended its preservation) and thinks that, as in other areas of copyright, the recording of music is best left to the operation of market forces.

If the system were to be preserved, however, the Government would wish to empower the proposed Copyright Tribunal (see below) to review the royalties paid under the statutory licensing system.

Performing Rights. Copyright owners are entitled to be paid for the public performance, hearing and/or viewing of their works. The Government proposes to remove the exemption from payment that exists for sound recordings played in commercial enterprises such as hotels and holiday camps.

Performers' Rights. The Government proposes to extend to variety artistes, such as acrobats and jugglers, the protection already provided for musicians and actors, namely, that it is a criminal offence to make unauthorised films or recordings of live performances, or to cause them to be played publicly or broadcast. It does not endorse the Whitford Committee's recommendation that the burden of proof of innocence should be lifted from alleged offenders.

Broadcasting and Diffusion. The Government proposes to give to British and foreign broadcasting organisations and to makers of sound recordings the general right to control the cable diffusion of their works, a right already provided for authors and film-makers. It would continue to be the case, however, that material contained in broadcasts made by the British Broadcasting Corporation (BBC) and the Independent Broadcasting Authority

(IBA) would be assumed to be freely licensed for diffusion, since the BBC and IBA already pay copyright owners on the basis of the whole potential audience for their transmissions. The Green Paper also considers the protection of British television broadcasts which might be shown to the public elsewhere in Europe, and discusses the relationship of copyright to satellite transmissions.

Computers. The Government proposes that the application of copyright to computer programs and to other works stored in computers (on magnetic tapes, for example, or in microcircuit chips) should be made explicit in legislation, since it is not at present clear what protection exists. The question of the ownership of copyright in computer output is also raised for discussion.

Terms of Copyright. The Green Paper proposes that the existing perpetual copyright on unpublished works should be replaced by the normal term of the life of the author plus 50 years. The Government notes that there are moves to harmonise the terms of copyright protection afforded in member countries of the European Community.

Copyright Tribunal. The Performing Right Tribunal was set up under the 1956 Act for the purpose of controlling possible abuses by persons or organisations in the exercise of certain of their rights under the Act. It has jurisdiction over the issue of licences for bringing certain copyright materials before the public. The Government accepts the Whitford Committee's recommendation for a Copyright Tribunal of broader scope than the existing tribunal. However, the Green Paper expresses concern at the costs that might be involved both to the taxpayer and to disputants before the proposed tribunal.

Other Subjects. The Green Paper also discusses the protection under copyright of sets of lettering, or 'type faces'; the ownership of copyright in the case of employees or commissioned authors and artists; the rights of authors to assign or licence their copyright; exceptions to the right to prevent reproduction; the rights of artists to part of the proceeds of resale of their works in other countries; libraries of legal deposit; the right of an author to claim authorship of his work and object to distortions of it; the extension of territorial limits for copyright, to include the United Kingdom Continental Shelf; and the ratification by Britain of international conventions relating to copyright.

Shorter Notes

LEASING

The practice of leasing rather than purchasing capital equipment has grown rapidly among British industrial and commercial companies since the beginning of the 1970s. Official statistics show that total assets leased represented nearly 6 per cent of all recorded capital expenditure in 1975, and by 1980 the proportion had reached 12·5 per cent. In the present economic recession, as the Chancellor of the Exchequer has noted (see p 116, 1980), equipment leasing is making an important contribution towards maintaining the level of industrial investment, by enabling companies to acquire new equipment which they might have been unable to purchase.

The Equipment Leasing Association, with 57 members (mostly banks and other financial institutions), is thought to account for about 80 per cent of leasing in Britain. New assets acquired by its members for leasing during 1980 cost £2,359 million, compared with £159 million in 1971. The 1980 figure represented an increase of 30 per cent on the 1979 figure, which in turn had represented a 48 per cent increase on the year before that. Manufacturers are still the Association's major lessees, accounting for 32 per cent of assets acquired in 1980, but the distributive and other service industries are rapidly increasing their share, accounting for 29 per cent of assets in 1980 compared with 22 per cent in 1978. The Association states that the trend towards longer primary periods for leases indicates the growing importance of leasing as a source of medium- to long-term finance for industry. Leases with a primary period of over five years accounted for half of all new business in 1980, compared with 30 per cent in 1978, leases of over ten years having grown from 5 per cent of the total in 1978 to 21 per cent in 1980.

For larger items of equipment, it is often the practice for the user or lessee to specify requirements in direct negotiations with the manufacturer of the item to be leased, the lessor company concerning itself only with the financing of the transaction. This practice is known as finance leasing. With other items, such as computers or vehicles, the lessor normally purchases the item and leases it in the expectation that it will be returned for re-leasing or for sale at the expiry of the lease. This is known as operating leasing. Leasing is distinct from hire or rental, in which equipment is normally supplied on standard terms by a business specialising in a particular range of goods.

Sources: Department of Industry, and *Equipment Leasing Association Annual Report 1981*, available free from the Equipment Leasing Association, 18 Upper Grosvenor Street, London W1X 9PB.

AEROSPACE INDUSTRY

Britain and the United States are to collaborate in the production of 400 advanced versions of the Harrier jump-jet combat aircraft for the Royal Air Force (60 planes) and the United States Marine Corps (340 planes). The deal, which is worth about £1,000 million to the aerospace industry in Britain and had been foreshadowed in the defence review published in June (see pp 195-7), was confirmed when a memorandum of understanding between the British and United States Governments was concluded on 24 August. (The two governments have co-operated in the development and production of vectored thrust engines and aircraft over the past two decades.)

Under the agreement, the airframe construction will be shared between British Aerospace (BAe) and McDonnell Douglas in the United States, with BAe having a 40 per cent share of the work. Up to 25 per cent of the work on the unique 'vectored-thrust' Rolls-Royce Pegasus engine will be carried out by Pratt and Whitney in the United States, with Rolls-Royce doing the remainder.

The Harrier was the world's first operational fixed-wing aircraft to be capable of taking off and landing vertically, entering service with the Royal Air Force in 1969. Swivelling nozzles on the Pegasus engine allow it to direct its thrust downward and hover – and even fly backwards – when necessary. United States developments of the plane have concentrated on reducing its weight. It is expected that the aircraft delivered to the Royal Air Force – designated the Harrier GR5 – will be a development of the AV-8B version in operation in the United States.

Source: *British business* 28.8.81.

HYDRAULICS RESEARCH STATION

The Government has announced that the Department of the Environment's Hydraulics Research Station is to be transferred to the private sector. This is in conformity with a general policy of converting parts of the state-owned sector to private enterprise. The Station was set up in 1947 to serve the civil engineering industry and was transferred to the Department of the Environment in 1971.

Announcing the decision on 17 July, the Secretary of State for the Environment, Mr Michael Heseltine, said that it was 'a clear example of an organisation which would benefit from the freedom which transfer to the private sector would bring in terms of ability to respond to market forces and to the needs of industry'. Only 20 per cent of its work was carried out for his Department, he said; the remainder was for repayment customers in the private sector and in central and local government. He believed that the Station's commercial prospects were good and that within a very few years it would become fully self-supporting. Meanwhile, however, it was not earning sufficient revenue to finance capital investment or to provide working capital. He therefore proposed limited support by the Government during the period immediately following the transfer to the private sector. His Department would also maintain a minimum level of support for research at the Station during the transitional period.

It was proposed to second the present staff of the Station to the new company that would be set up, to allow time for the negotiation of satisfactory terms of employment for those transferring permanently to the company.

[The Station carries out research on problems in civil engineering hydraulics in four main areas – rivers and non-tidal channels (including water supply and irrigation, land drainage, flow and flood control and urban drainage); estuaries and tidal flow (including sand and mud movement and tidal barriers); coasts and harbours (including sea protection, land reclamation and effluent dispersal); and offshore engineering (including wave analysis, offshore structures, pipelines, moorings and wave power conversion). Investigations are carried out for engineering consultants and contractors, industrial concerns, multinational companies, port trusts, water authorities, and British and overseas government agencies. It had a budget of some £3·5 million in 1980 and employed about 260 people.]

Source: *Hansard*, Vol 8, No 144, Part III, written answers, col 516.

Health and Personal Social Services

An examination of ways of speeding up the transfer of certain long-stay patients from hospitals in England to care in the community is contained in *Care in the Community*,[1] a consultation document published on 16 July.

A range of options is set out for transferring certain patients, together with resources for their care, from the National Health Service to the local authority personal social services. This would enable, for example, many patients now in large long-stay mental handicap hospitals to live in smaller homes in the community – in a better environment at lower cost. The proposals mainly apply to the elderly, mentally ill and mentally handicapped people; but there are other smaller groups, such as those who are physically disabled or chronically sick, who could expect to benefit from such arrangements. It is estimated, for example, that about 15,000 mentally handicapped people – about one-third of those at present in hospital – could be discharged immediately if appropriate services in the community were available.

The document emphasises that in the longer term a further shift in the balance of resources from hospital to the community services is desirable (a theme in *Care in Action: A Handbook of Policies and Priorities for the Health and Personal Social Services in England* (see p 81)).

Existing arrangements are examined for projects jointly planned and financed by health and local authorities and seven ways of improving them are suggested. These are: the extension of the existing joint finance arrangements; a lump sum or annual payment by the health authority for each patient discharged into the local authority's care; a transfer of ownership of hospital buildings from health authorities, with funds to enable local authorities to provide the most suitable care and accommodation; closer co-operation between the National Health Service and personal social services, including the pooling of funds to provide services for a particular group; a transfer of funds centrally from the health service to the social services with a commitment by local authorities that the funds would be used for discharged patients; central or regional retention of funds to be applied to specific projects put forward by local authorities; and the creation of a single agency at national or local level which would have responsibility for a particular group – for example, mentally handicapped people.

The document also sets out the criteria which would be considered important in adopting any or several of the suggestions. For example, it would have to be certain that any change would put individuals in more appropriate surroundings more quickly than under present arrangements. There would have to be adequate assurance that any health service funds transferred to build up the personal social services would be used for that purpose. Also, if the aim of keeping people in the community were successful this would have important implications for hospital requirements in the future; decisions should therefore be made with longer-term requirements in mind.

A similar document concerning the position in Wales is to be issued shortly.

[1] *Care in the Community: A Consultative Document on Moving Resources for Care in England.* Available free from the Department of Health and Social Security, Alexander Fleming House, Elephant and Castle, London SE1 6BY.

Ethnic Minorities Research Study

A Home Office Research Unit report[1] on trends since 1961 in the position of ethnic minorities in Britain concludes that important absolute advances have been made in the employment and housing conditions of West Indians and Asians over the past 20 years. Although considerable progress relative to the rest of the population has been made in housing, in the field of employment the amount of relative progress has been small. The trends described do not support the notion of ethnic minorities as a group barred from all avenues of social progress but neither do they show gains on all fronts. The report considers that the vulnerability of minorities in times of economic recession underlines the potential value of the existing anti-discrimination legislation of the special training and youth employment programmes.

[1] *Ethnic Minorities in Britain: A study of trends in their position since 1961.* Home Office Research Study No 68 by Simon Field, George Mair, Tom Rees and Philip Stevens. HMSO, £3·60. ISBN 0 11 340708 4.

The minorities studied are those of relatively recent arrival from the Caribbean and the Indian sub-continent – West Indians, Indians, Pakistanis and Bangladeshis – and the report puts together data from national surveys, starting with the 1961 Census. It examines changes in the size, age and sex structure, and geographical distribution of the minority groups since 1961 and looks at housing, jobs, unemployment and incomes. Other trends in the social position of minorities – for example in education, the use of health services, participation in civic and public affairs – have not been dealt with because of a lack of national data.

The foreword to the report says that at any given moment it is not easy to form a composite picture of the position of ethnic minorities in British life. On the one hand, pessimists say that some ethnic minorities – blacks in particular – are trapped at the bottom of the ladder with fewer exercisable rights, opportunities and possessions than the great majority of whites; on the other hand, optimists point to the gains of these minorities and argue that, with time, adaptation and existing legislation, their ethnic identity will cease to be a reliable guide to their position in British society.

Disadvantage and Discrimination

One of the main concerns of Government is to achieve equality of opportunity for all ethnic groups and to remove racial discrimination, says the report. There are certain social disadvantages which West Indians and Asians have been found to experience in larger measure than other groups. They live predominantly in areas which already suffer acutely from problems of urban decay; their children more often have special educational needs; in the areas of recent immigrant settlement unemployment among ethnic minority communities is more serious in times of recession than for the population at large. All these problems have been compounded by problems of unfamiliarity with British society and – particularly in the case of Asian groups – differences of culture and language. This combination of difficulties has commonly been described as racial disadvantage. Racial discrimination is a more familiar and comprehensive notion, claims the report. Despite its proscription by law since 1968 in the field of employment, housing and the provision of goods and services, research has shown continuing – though in some areas diminishing – discrimination against minorities, particularly against those perceived as 'coloured'.

For the Government to deal effectively with the inequalities of ethnic minorities it is desirable to know how much weight to give to contending explanations and predictions that have been made about discrimination. The first step is to try to form a reasonably accurate picture of developments over a period of time. The report acknowledges the limitations imposed by lack of statistics. There is, for example, little statistical information about people of West Indian or Asian descent born in Britain from which to make assessments about their position compared with those who came to Britain as immigrants. Nevertheless, there is information of potential relevance and the purpose of the study is to draw it together to give a general picture. In the fields covered, says the report, an interesting and complex picture emerges, with some encouraging and some discouraging features.

Population

The population of West Indian and Asian descent has grown very considerably since 1961 [in 1979 people of New Commonwealth ethnic origin[1] made up some 3·7 per cent of the population of Great Britain]. Much of this growth is from births to families in Britain since many of the original immigrants were of the age to form families and birth-rates have tended to be higher than the average in Britain. The proportion born in Britain is therefore rising – it was 35 per cent in 1971 [and over 40 per cent in 1979] – and it may be assumed that by the end of this decade half of those of New Commonwealth origin will have been born in Britain.

There is reason to believe that the differences in the distributions by age and sex between whites and minorities will slowly disappear. However, there is no reason to believe that the same is true of geographical distribution. Minorities remain overwhelmingly urban and even within cities are still somewhat segregated. This reflects the earlier pattern of settlement in which newness, economic necessity and racial discrimination all played a part. In the case of Asians, a particularly strong preference for owner-occupation and close community ties seems to have led to rather higher concentrations than in the case of West Indians. The latter remain over-represented in the lower socio-economic groups and are spreading out largely within working-class areas.

Housing

The report examines the type of tenure, household size and density of ethnic minority households and finds that in these respects their housing has improved substantially. West Indians have moved from the rented furnished sector into owner-occupation and council housing, and since 1971 the percentage of West Indians in council housing has been higher than that of the population as a whole. Asians, however, depend far less than the general population on council housing, and their level of owner-occupation has continued to rise.

The degree of overcrowding has fallen dramatically for West Indians and steadily for Asians and it is possible that by 1980 no more West Indian families than white families were living at more than 1·5 persons per room (the Census measure of overcrowding). Between the 1961 and 1971 Censuses the proportion of New Commonwealth immigrant households in shared dwellings decreased sharply and this trend has continued. The report does point out, however, that, because no comparable data have been continuously collected on such matters as age and location of housing and lack of amenities, it is not clear how

[1]'New Commonwealth ethnic origin' includes, besides West Indians and Asians, people from Africa, Mediterranean Commonwealth countries, and those from Sri Lanka, Hong Kong, Malaysia, Singapore and other territories in Asia and the Pacific.

fast the gap between West Indians and Asians on the one hand and the rest of the population on the other has been closing as far as these aspects are concerned.[1]

Employment

The study shows that the unemployment rate among the ethnic minorities has been higher than among the white population for most of the last 15 years, and minority unemployment is particularly sensitive to changes in the general economic climate. West Indian men and Asian women appear to be more vulnerable to unemployment than West Indian women and Asian men. Four principal causes of high minority unemployment are listed; the relative youth of the minority labour force; factors connected with newness, such as lack of skills and qualifications and language difficulties; the incidence of discrimination; and a concentration in insecure jobs. It is expected that the first two causes will diminish in time while it is to be hoped that legislation and other action against discrimination will reduce the importance of the other two.

Low academic standards and lack of skills also reduce the chance of minorities in the job market, says the report. Children of West Indian origin seem to be especially vulnerable in this respect, though it is emphasised that there is no conclusive evidence on West Indian children's level of academic attainment.[2]

The report says that both West Indians and Pakistanis seem to have made some progress towards socio-economic parity with the majority even though the gap is still wide. There were some signs of a lessening dependence of minority workers on jobs in manufacturing, and some small signs of a convergence between the job structure of majority and minorities after 1971.

Income

Changes in relative earnings cannot be identified because of lack of data but it is clear that, overall, minority men earn 10 per cent less than whites. In the lower socio-economic groups, however, they tend to earn more than whites, which is because of the younger age structure of minorities or the fact that they work longer hours and more shifts than whites. Minority women tend to earn more than white women, which appears to be the result of the much higher proportion of minority women in full-time work. Owing to a combination of low earnings, a higher proportion of dependants and higher housing costs it is likely that minority households experience a greater degree of poverty.

[1]Some information on the housing conditions of ethnic minorities in England was collected in the *National Dwelling and Housing Survey* published in 1979 (see pp 133-4, 1979). The subject of racial disadvantage in general has been studied by the Home Affairs Committee of the House of Commons (see p 283).

[1]A recent report on the education of West Indian children is *West Indian Children in our Schools* (see p 212).

External Affairs and Defence

Gibraltar: The Situation of Gibraltar and United Kingdom Relations with Spain. Seventh Report from the House of Commons Foreign Affairs Committee. Session 1980-81. The volume also contains written and oral evidence given to the Committee. HMSO, £7·65. ISBN 0 10 216681 1.

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A Year Book of the Commonwealth 1981. HMSO, £21·75. ISBN 0 11 580223 1*.

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United Kingdom Balance of Payments 1981 Edition (see p 264). Central Statistical Office. HMSO, £8·75. ISBN 0 11 630781 1.

Report of the Civil Service Pay Research Unit Board and the Civil Service Pay Research Unit 1981. HMSO, £2·70. ISBN 0 11 630442 1.

National Gas Consumers' Council. Annual Report 1980–81. Available free from the NGCC, Fifth Floor, Estate House, 130 Jermyn Street, London SW1Y 4UJ. ISBN 0 904409 07 4.

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Industrial Energy Pricing Policy. Second Report from the House of Commons Select Committee on Energy.
Vol I. Report. HMSO, £2·60. ISBN 0 10 008311 0.
Vol II. Minutes of Evidence and Appendices. HMSO, £13·45. ISBN 0 10 008581 4.

New and Renewable Sources of Energy: A Directory of UK Enterprise (see p 268). Available free from the Press Office, Department of Energy, Thames House South, Millbank, London SW1P 4QJ.

Renewable Energy Sources in the United Kingdom (see p 269). United Kingdom National Paper prepared for the United Nations Conference on New and Renewable Sources of Energy, Kenya, 1981. Available free from the Press Office, Department of Energy, Thames House South, Millbank, London SW1P 4QJ.

British Airways. Annual Report and Accounts 1980–81. British Airways. Available from HMSO, £2. ISBN 0 900031 14 X.

Post Office Report and Accounts 1980–81. HMSO, £1. ISBN 0 11 886019 4. More detailed information on postal and National Girobank services is contained in *Extracts from Post Office Accounts and Reports of Posts, National Girobank and Postal Orders for the year ended 31 March 1981.* HMSO, £1. ISBN 0 11 886021 6. Further information on telecommunications is given in *Extracts from Post Office Accounts and Report of British Telecom for the year ended 31 March 1981.* HMSO, £1. ISBN 0 11 886020 8.

Report of the Government Chemist 1980. Department of Industry Laboratory of the Government Chemist. HMSO, £7·50. ISBN 0 11 513474 3.

Social and Cultural Affairs

Population. COI, No 106/FSB/81.

Care in the Community: A Consultative Document on Moving Resources for Care in England (see p 279). Available free from the Department of Health and Social Security, Alexander Fleming House, Elephant and Castle, London SE1 6BY.

Report on a Study of the Acute Hospital Sector. The report examines activity and manpower trends in medical and surgical specialties over a ten-year period. £4·15.

Report of a Study on the Respective Roles of the General Acute and Geriatric Sectors in the Care of the Elderly Hospital Patient. The study assesses current policies for the care of elderly people in hospital in the light of the projected rapid increase over the next decade of the number of people aged 75 and over. £1·35.

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All these reports are available from the Department of Health and Social Security, Information Division, Block 4, Canons Park, Government Buildings, Honeypot Lane, Stanmore, Middlesex HA7 1AY.

Report of Her Majesty's Chief Inspector of Fire Services 1980. Deals with events associated with fire brigades in England and Wales. Cmnd 8297. HMSO, £3·60. ISBN 0 10 182970 1.

Higher Education in Wales Outside the Universities: A Discussion Document. The paper describes ways in which the management of higher education in Wales outside the universities might be improved. Available free from the Further Education Division, Welsh Office Education Department, Welsh Office, Cathays Park, Cardiff CF1 3NQ.

Higher Education in England Outside the Universities: Policy, Funding and Management. A consultation document which puts forward alternative proposals for developing a central body responsible for planning and funding non-university higher education in England. Available free from Publications Despatch Centre, Department of Education and Science, Government Buildings, Honeypot Lane, Stanmore, Middlesex HA7 1AZ.

The Duke of Edinburgh's Award Scheme. COI, No 121/FSB/81.

Racial Disadvantage. Fifth Report from the Home Affairs Committee of the House of Commons Session 1980–81. While observing that racial disadvantage is a particular case of relative disadvantage within society the report attempts to indicate its nature and extent and offers some remedies capable of implementation in the short and medium term. It makes recommendations concerning such matters as education, employment, health and social security, local authority services and funds to combat racial disadvantage (see also pp 279-81).

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Vol III. Evidence. HMSO, £15. ISBN 0 10 008251 3*.
Vol IV. Appendices. HMSO, £7. ISBN 0 10 008261 0.

Ethnic Minorities in Britain: a study of trends in their position since 1961. Home Office Research Study No 68 by Simon Field, George Mair, Tom Rees and Philip Stevens (see p 279). HMSO, £3·60. ISBN 0 11 340708 4.

Thirteenth Report of the Countryside Commission 1979–80. HMSO, £8·75. ISBN 0 10 244181 2.

Victoria and Albert Museum: Review of the Years 1974–1978. HMSO, £6·75. ISBN 0 11 290359 2.

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